AN HISTORICAL SURVEY OF JEWISH PHILANTHROPY

FROM THE EARLIEST TIMES TO THE NINETEENTH CENTURY

By

EPHRAIM FRISCH

"The period surveyed in this study ends with the changes set in motion by the beginnings of Jewish political and economic emancipation. Thereafter, Jewish philanthropy takes a decidedly new trend, becoming both more secular and more highly organized. The fall of the Jewish State in the first century of the common era has been chosen as an important dividing point in the period treated. The restrictions upon their self-determination from that time on (until emancipation) left the Jews without authority to control the basic conditions of poverty."—*From the Preface.*

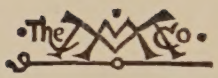
Rabbi Frisch takes up his theme under these heads: The Bible, The Apocrypha, The Early Synagogue and Communal Charity Organization, The Talmud, The Codes and Ethical Works, Rural Principles and Ideals, Motives and Sanctions, Charity and Personal Service, General Public Relief and Its Administration, Self-Support and Pauperization, The Rise of Societies and Institutions, Changing Conditions and Their Effects.

THE MACMILLAN COMPANY
PUBLISHERS **NEW YORK**

Price $1.75

Pri

AN HISTORICAL SURVEY OF JEWISH PHILANTHROPY



THE MACMILLAN COMPANY
NEW YORK · BOSTON · CHICAGO · DALLAS
ATLANTA · SAN FRANCISCO

MACMILLAN & CO., LIMITED
LONDON · BOMBAY · CALCUTTA
MELBOURNE

THE MACMILLAN CO. OF CANADA, LTD.
TORONTO

AN HISTORICAL SURVEY OF JEWISH PHILANTHROPY

From the Earliest Times
To the Nineteenth Century

BY
EPHRAIM FRISCH

New York
THE MACMILLAN COMPANY
1924

All rights reserved

COPYRIGHT, 1924,
BY THE MACMILLAN COMPANY.

Set up and printed.
Published May, 1924.

Printed in the United States of America by
J. J. LITTLE AND IVES COMPANY, NEW YORK

To My Wife
RUTH COHEN FRISCH

PREFACE

THE word philanthropy has been used in the title of this essay rather than the term charity because the field covered by Jewish ministrations to those in need was broader than that of relief alone. A fuller explanation is found in the Conclusion.

The period surveyed in this study ends with the changes set in motion by the beginnings of Jewish political and economic emancipation. Thereafter, as is brought out in the text, Jewish philanthropy takes a decidedly new trend, becoming both more secular and more highly organized. The fall of the Jewish State in the first century of the common era has been chosen as an important dividing point in the period treated. The restrictions upon their self-determination from that time on (until emancipation) left the Jews without authority to control the basic conditions of poverty.

The author desires to acknowledge his deep gratitude for valuable guidance and assistance to Prof. Richard J. H. Gottheil, of the Division of Semitic Languages, Columbia University, for whose department this dissertation was written; to Prof. Samuel McCune Lindsay of the faculty of Social Science of Columbia; to Prof. Israel Abrahams of

Cambridge University, England; to Dr. Ismar Ellbogen, Dean of the Rabbinical College at Berlin, Germany; and to the late A. S. Freidus and I. Broyde of the Jewish Literature Division of the New York Public Library. He is also greatly indebted to Mr. Harry Karp, of the last-named department, and to the librarians of the Jewish Theological Seminary for practical aid.

January, 1924

TABLE OF CONTENTS

PART ONE

FROM THE EARLIEST TIMES TO THE FALL OF THE STATE

PAGE

CHAPTER I—THE BIBLE 3

The Rise of a Problem of Poverty. Utterances of the Prophets. Pentateuchal Laws and Thought. Agricultural Provisions. The Psalms and the Poor. Wisdom Literature. Biblical Episodes and Exemplars. Economic Measures. Motives of Biblical Philanthropy. The Legacy of the Bible and the Biblical Period to the Subsequent Centuries.

CHAPTER II—THE APOCRYPHA 25

Ecclesiasticus. Tobit.

CHAPTER III—THE EARLY SYNAGOGUE AND COMMUNAL CHARITY ORGANIZATION 31

The Spread of Synagogues. The Beginnings of Organized Communal Relief. The Synagogue as the Center. Influence on Early Christian Charity.

PART TWO

FROM THE FALL OF THE STATE TO THE BEGINNINGS OF EMANCIPATION

CHAPTER I—INTRODUCTORY 43

CHAPTER II—THE TALMUD 48

Outlines of a System of Organized Relief in Mishnah. The Babylonian and Jerusalem Talmuds. Excerpts Quoted.

PAGE

CHAPTER III—THE CODES AND ETHICAL WORKS . . . 61

The Standard Codes. Maimonides' "Portions of the Poor." His "Eight Degrees" of Charity Quoted. Jacob ben Asher's "Four Rows." The Introductory Paragraph to his "Laws of Charity" Quoted. Joseph Caro's "Shulchan Aruk." Inspirational Sources other than Codes. Quotation from Bachya's "Duties of the Heart."

CHAPTER IV—RULING PRINCIPLES AND IDEALS . . . 74

First Premise: The Poor and the Dependent the Special Wards of God. Second Premise: All Goods in Last Analysis Come from and Belong to God. First Basic Principle: Charity not a Favor but an Obligation. Second Principle: Righteousness Finds Its Most Practical Expression in the Doing of Charity.

CHAPTER V—MOTIVES AND SANCTIONS 84

The Will of God the Ultimate Sanction of Conduct. Direct Controlling Motives: Terrestrial Benefits and Rewards in the Hereafter. Honor as an Incentive. Sympathy and Love. Maimonides Quoted.

CHAPTER VI—CHARITY AND PERSONAL SERVICE . . . 91

Two General Currents in Jewish Philanthropy: Charity (Zedakah) and Loving-kindness (Gemilut Chasadim). Types of Personal Service.

CHAPTER VII—GENERAL PUBLIC RELIEF AND ITS ADMINISTRATION 100

The Two Public Charity Funds: The Coffer (Kuppah) and Plate (Tamchui). Voluntary and Compulsory Aspects of Giving. Sources of Revenue. The Congregational Connection. The Overseers of the Poor: Calibre; Function; Reaction of the Poor. Methods of Procedure: Case Work; Precedence; Investigation. Nature and Quantity of Relief: Norms and Standards for Ordinary and Special Aid.

PAGE

CHAPTER VIII—SELF-SUPPORT AND PAUPERIZATION . 125

Laudation of Labor. Limitations to Generosity. Regulation of Begging.

CHAPTER IX—MISCELLANEOUS TOPICS 130

The Tithe. Defectives. Delinquents. Aid to Non-Jews.

CHAPTER X—THE RISE OF SOCIETIES AND INSTITUTIONS 137

Specialization of Funds. Emergence of Separate Organizations. Older Institutions: Shelters, Almshouses, Hospitals and Free Medical Care. Other Institutions and Societies: Burial Societies, Mutual Benefit Associations. The 17th Century the Century of the Spread of Societies. Redemption of Captives. Collection for Poor of Holy Land.

CHAPTER XI—CHANGING CONDITIONS AND THEIR EFFECTS 165

New Internal and External Developments Calling for Changes in Charity Administration. The Effects of Political Emancipation. The Beginnings of Reconstruction. London and Paris as Examples. Brief Sketch of the Development of Jewish Philanthropy during the Contemporary Period.

CHAPTER XII—CONCLUSION 178

BIBLIOGRAPHY 183

INDEX 189

PART ONE

FROM THE EARLIEST TIMES TO THE FALL OF THE STATE.

AN HISTORICAL SURVEY OF JEWISH PHILANTHROPY

CHAPTER I

THE BIBLE

THERE is very little need for charitable assistance, personal or financial, during the primitive stages of a people's life. The family or clan takes care of its weak or disabled dependents. Our purpose is to find the first perceptible traces of the play of the philanthropic impulse among the people of Israel during that period of the usual course of a nation's development when permanent settlements arise. Even then we must not expect to see poverty become a problem until those settlements have grown large. While, as a result of natural causes,—loss of the breadwinner, sickness, senility, disablement, deformity—there is found a certain irreducible minimum of distress everywhere, this distress is easily alleviated by relatives and neighbors as long as society presents simple conditions. Just as soon as urban conditions develop and congestion of

population begins, the well-springs of philanthropy must be tapped.

Disregarding the controversies as to when the Hebrew migration reached Palestine, which even the recently enlarged acquaintance with Egyptian and Mesopotamian history has failed to determine conclusively, and taking our own stand at once on the common ground of widely accepted progressive opinion, we find the Hebrews at about 1000 B.C. living in permanent settlements on the soil of Palestine, with Jerusalem as the newly established capital. Conditions of life were altogether rural. Jerusalem itself, although a walled city, could not have had a population of more than two or three thousand souls. Agriculture was the main, indeed well-nigh the exclusive, industry. Town life was slow in developing. Cities—very small ones, judged by our modern standards—began to arise at the time of Ahab and Elijah, in the early decades of the 9th century.[1] These urban communities reached a stage of considerable density of population by the middle

[1] An echo of the acts of aggression which monarchs allow themselves occasionally and which in this instance is reminiscent of King John and the events culminating in Magna Carta, comes down to us in the episode of Ahab and Jezebel's appropriation of Naboth's family estate and the judicial murder that accompanied it (1 Kings, 20). This episode bears the earmarks of a historical incident. Such high-handed acts indulged in by those next in power as well as by the sovereign, later—in Amos' days—became common and exercised a strong bearing on economic conditions by increasing poverty and kindling resentment. Still, at the time in question (the 9th century) these acts must have been the exception and not the rule.

of the following century,—a stage which brought with it the usual train of poverty, exploitation and corruption.

The conquests of Jeroboam II in the North and those of Uzziah in the South had resulted not only in much booty but also in unusual trade opportunities and had speeded the growth of large and powerful commercial classes. While the upper classes revelled in wealth and luxury, the great body of the people suffered from want and exploitation. In the decades that ensued the denunciation of these unbearable conditions by those two great tribunes of the people, the prophet Amos at Bethel, in Israel, and the prophet Isaiah at Jerusalem, in Judah (whose chapters on the economic and social abuses give every evidence of being contemporary documents), furnishes indubitable evidence of the misery and industrial wrongs prevalent at that time in the Hebrew commonwealths. Social maladjustments were not limited to city life. The landlord classes in the country grew fat, no doubt, at the expense of the small farmers and laborers; and the summer and winter homes of the magnates, including houses of ivory and other enduring monuments of display attacked by Amos, stood out in glaring contrast not only to the dingy shacks of the downtrodden city proletariat, but also to the miserable hovels of the country poor. The need for philanthropic effort must have been dire and constant.

It is in the utterances of the great prophets who

at this point loomed up as the outstanding figures in Hebrew life and who for four centuries continued as its master spirits that philanthropy reaches a new height, hitherto unattained and scarcely surpassed thereafter. It remains the unique and everlasting distinction of the great prophets that they made clear the direct connection between economic oppression and want. As far as we know, they were the first ones anywhere to attack the problem of poverty at its very root. To their minds destitution was fundamentally a consequence of social and economic exploitation. The sources of want they traced to undue advantage taken by the strong over the weak.

These social wrongs they denounced fearlessly. Taking their stand on the basic principle that all men are brothers, the children of the self-same one God,[2] they attacked, in words of fire, the oppression of the poor and the defenceless. Amos, Isaiah and Micah were especially severe in their indictment of this phase of social wrongdoing. The first assailed those "who sell the needy for the price of a pair of shoes" and deny justice to the humble.[3] Isaiah

[2] Mal. 2:10: "Have we not all one father? Has not one God created us?" This principle took root in a soil of feeling and is reiterated or implied again and again throughout the writings of the prophets.

[3] 2:6-8: Also, "Ye kine of Bashan . . . that oppress the poor and crush the needy," addressed to the voluptuous women (4:1); "that trample upon the poor and take from him exactions of wheat," probably directed against the merchants who supplied the farmers on a tenant-sharing basis (5:11); who "swallow the

cried out, "What mean ye that ye crush my people and grind the face of the poor?" and castigated monopolization of land and buildings.[4] And Micah bitterly arraigns those wolves of society "who eat the flesh of my people and flay their skin from off them and break their bones," and those who through manipulation dispossess people of their fields and homesteads.[5] The conception of the merging of philanthropy with social justice, so that the line of demarcation is wiped out, attained its most eloquent formulation in the Second Isaiah, in the passages, "Is it not to deal thy bread to the hungry," etc. (58:7-8), and "If thou take away from the midst of thee the yoke," etc. (58:10-12). When the cycle of Scripture readings at public worship was instituted some time later, this 58th chapter of Isaiah was adopted as the lesson from the prophets (Haphtarah) for the holiest day in the religious calendar, the Day of Atonement. It remains to this day a superb statement of what constitutes social service in its broadest interpretation.

Side by side with the written exhortations and protestations of the great prophets, covering roughly the four centuries between the middle of the eighth and the middle of the fourth centuries

needy and destroy the poor of the land," in rebuke of exploitation and profiteering generally (8:4).

[4] 3:15. See also 1:23; 3:16-17; 5:7, 8, 20; 10:1-2; 11:4-5; 16:4-5.

[5] 3:1-3; 2:1-2. The elements of social justice are also sketched briefly in Ezekiel's description of the righteous man (Ezek. 18:7-9).

B.C., and, to some extent, no doubt, drawing their inspiration from the prophetic utterances, came the mass of injunctions, imbedded in an appropriate setting of sentiment, embodied in the Pentateuch, which, of the whole sacred canon, carried the greatest weight of authority.

The oldest continuous section of the Pentateuch, the Book of Deuteronomy, promulgated by the reformer King, Josiah, in the year 621 B.C., shows distinct traces of the teachings of the contemporary prophet Jeremiah and of his predecessors. Its characteristically humane spirit reveals itself, among other ways, in its tender solicitude for the poor dependent. The passage that appears to have made the deepest impression on the minds of subsequent generations, judging from its constant use as the source from which all important later writings draw their texts, is Chapter 15, verses 7-11:

"If there be among thee a needy man, any one of thy brethren within any of thy gates in thy land which the Lord thy God giveth thee; thou shalt not harden thy heart, nor shut thy hand from thy needy brother.

"But thou shalt open wide thy hand unto him, and thou shalt surely lend him sufficient for his need, which his want requireth.

"Beware that there be not a wicked thought in thy heart, saying, The seventh year, the year of release, is at hand; and thy eye be thus evil against thy needy brother, so that thou wouldst give him nought; and if he cry concerning thee unto the Lord, it will be sin in thee;

"Thou shalt surely give him, and thy heart shall not be

grieved when thou givest unto him; for because of this thing the Lord thy God will bless thee in all thy work, and in all the acquisition of thy hand.

"For the needy will not cease out of the land; therefore do I command thee, saying, Thou shalt open wide thy hand unto thy brother, to thy poor, and to thy needy, in thy land."

Admonitions of similar nature occur in other sections of the Pentateuch.

An examination of these general admonitions and of the more specific injunctions which will be described later leads us to make the following observations. Helping the unfortunate members of society is in the Torah (Pentateuch) *commanded,* not requested. For benevolence is viewed, not as a matter of grace, but as an imperative duty.[6] While only the boldest spirits dared openly concern themselves with the welfare of non-Israelites, and the others either accepted as a matter of course the racial and religious prejudices and animosities then prevailing everywhere, or reluctantly yielded to the social order as it was, feeling that all efforts to change it would be futile (in this respect resembling in their action the attitude of many modern lovers of democracy today with regard to the negro and to

[6] "The right to assistance, this right, which economists and sociologists of various schools are still discussing—this question was definitely solved by the Bible long ago. . . . Yes, the Bible has proclaimed the right to assistance for those who have nothing and the duty to assist on those who have means." Joseph Lehmann, "Assistance publique et privée d'après l'antique Législation juive," *Révue des Etudes Juives,* Vol. 35, p. 14.

Asiatic problems), and thus limited largely their efforts to Israelites, the lawgivers and exhorters, like the prophets, took the high ground, characteristic of the social outlook of modern times, that all persons were equal, the unfortunate being the equals of the fortunate, since they were all brothers, the children of the one God.[7] Explanations might differ as to how the unfortunate sank into distress, whether their condition was due to sin or indolence, or to other causes, or whether it must be ascribed to the inscrutable ways of God; nevertheless, they were to be regarded as the equals of the successful and had the same fundamental claim, in the eyes of the exhorters and lawgivers, to the land and its products as had the rich, God alone, the father of all, being both the owner and apportioner.

With this premise of human equality based on common divine origin, the Torah made provision for the distressed classes in a variety of ways not at all partaking of the nature of alms, but rather, one might say, of enlightened profit-sharing. There were ordinary measures of assistance suited to the recurring seasons, and having to do with the land and its products. Perpetual alienation of ancestral land and homestead was forbidden by the law of the Jubilee, a measure designed to prevent permanent impoverishment. If this measure had not been nullified, as time went on, in actual application, it would have gone a long way to accomplish the

[7] *Cf.* Deut. 14:1. "Ye are children of the Lord, your God."

desired result. The spontaneous growths of field and garden during the Sabbatical year—every seventh year,—were left free to all comers, with special thought and mention of the poor (Ex. 23:11). Every third year a tithe—one-tenth—of all products had to be given to the needy (Deut. 14:28-29). At every harvest a corner of all grain fields (Lev. 19:9 and 23:22), amounting approximately to one-sixtieth, the gleanings, and the forgotten sheaves, were left for the poor and stranger; and at every ingathering of the vineyard and oliveyard the imperfect and topmost clusters of grapes were reserved for them (Lev. 19:10). In connection with the celebration of the three pilgrimage festivals (Passover, Weeks and Tabernacles) when attendance at the capital was required of all families (and notably of the males), it was ordained that the stranger, the widow and the orphan be invited to share the food of the pilgrims (Deut. 16:11-14). Special consideration and humanity were enjoined in the treatment of the weak. The stranger was not to be oppressed; the widow and the orphan were not to be harshly dealt with (Ex. 22:20-23; 23:9; Lev. 19:23-34). With a clear understanding that an ounce of prevention is worth a pound of cure, it was legislated that even when it was to the disadvantage of the lender, the borrower was to be given a loan without interest (Deut. 15:7-11), and that the latter's garment, taken in pledge, was to be returned to him by nightfall (Ex. 22:24-26; Lev. 25:35-38).

These injunctions were surrounded by a glow of sentiment. The Israelite was constantly reminded not only of the brotherhood of all men, rich and poor alike, but also of the time when he himself had had to drink of the bitter cup of poverty, oppression and alienage—his grievous experience in the land of Egypt. Indeed, the entire Pentateuch, and more particularly, the book of Deuteronomy, breathes a fine spirit of humanitarian sympathy for the weak and dependent.

The land provisions for the handicapped classes are of course the product of a society whose essential pursuits were agricultural. Even when the maladjustments due to the rise of industrial problems in the cities became acute enough to challenge the attention of the prophets, the vast majority of the people must have been engaged in tilling the soil and in grazing.

The sentiments in regard to relief of poverty found expression in legislation, as has been indicated, as early as 621, and perhaps earlier. Their expansion and development continued throughout the period that witnessed the completion of the Pentateuch, ending, roughly speaking, about 450 B.C. They commanded authority, very likely, before the books of the Pentateuch were canonized and retained their force, as law actually and practically carried out, until the conquest of the state at the hands of Vespasian and Titus (70 A.D.), when the

loss of homeland and virtual exclusion from land-owning and land cultivation rendered their observance impossible except by the remnants of the population left in Palestine after the carnage and the deportations attendant upon the conquest.

Many times the question has been raised as to whether these ordinances dealing with the sharing in the products of the soil by the distressed elements of society were really ever in operation or were merely legislative ideals like the legislation evolved in the exile by Ezekiel for enforcement in a future restored commonwealth. Were the laws of the Jubilee and Sabbatical years and the ordinances relating to tithes, gleanings, and so forth, actually observed, or were they simply carried on the statute books in the hope that they would be observed, though in reality proving to be dead letter legislation?

The ordinance of the Jubilee year appears to have been actually observed only during the period when all the tribes were in possession of Palestine, *i.e.,* until the deportation of Reuben, Gad and the half tribe of Manasseh in 734 B.C. From that time on it was observed nominally, in the expectation of the return of the tribes, until the fall of the southern state when it was conquered by Nebuchadnezzar (586 B.C.). After that the ordinance seems to have fallen into disuse.[8]

[8] *Jewish Encyclopedia,* "Sabbatical Year and Jubilee."

There is, however, abundant and conclusive evidence that the law of the Sabbatical year was rigorously observed throughout the existence of the Jewish commonwealth, including the period of the Second Temple. The Maccabean defenders of the fortress of Bethsur had to surrender and those of Jerusalem were forced to make peace with the Syrians because of the shortage of provisions due to the Sabbatical year. (I Maccab. 6:49, 53). Indeed, the agricultural clauses of this law, calling for the non-cultivation of the land during that year, are observed to this day by Jews resident in Palestine and their further perpetuation is the subject of debate at the present time in the newly developed colonies in Palestine.

That the regulations referring to the first fruits and to tithes were observed is evident from the history of the Maccabees where there is recorded the revival of their observance in connection with the re-dedication of the Temple (I Maccab. III. 49). From the Book of Ruth and from other sources we have every reason to believe that there was scrupulous compliance with the legislative provisions dealing with the corners of the fields, the gleanings, etc.[9]

The Psalms were next in importance to the utterances of the prophets and to Pentateuchal legislation in the creation of philanthropic sentiment and the stimulation of charitable deeds, in the Biblical era.

[9] Josephus: *Antiquities,* Book IV, Ch. 8, Sec. 21.

The Psalms, the book of common prayer and song made up of hymns composed [10] for and used by the worshippers in the Second Temple and later assigned a place of the first importance in the daily prayers and study periods of the synagogue, are fairly shot through with a profound and overwelling sympathy for the poor and lowly. Indeed, the Psalmists frequently identified the needy and the humble with the true Israel (*e.g.* Psalm 37:14, 21), and still more often, with the righteous and innocent, while they mentally associated the rich with violence and wickedness. In their consciousness the successful and the ruthless were one and the same—the oppressors of the innocent destitute, whose sole compensation was, in the opinion of the Psalmists, communion with God,[11] though in the end all would be well.

If the Psalms be interpreted, in line with the views of many scholars, as utterances of the community of Israel rather than as those of the feelings

[10] While a few of the Psalms may have been composed earlier than the return from the Babylonian captivity (536 B.C.), most of them were written between that time and 165 B.C.

[11] Ps. 17:13-15:

"Arise, O Lord, prevent him, cast him down; deliver my soul from the wicked, who is thy sword,

"From these men—thy hand—O Lord, from the men of this life, and whose belly thou fillest with thy hidden treasure; they have children in plenty, and leave the rest of their substance to their babes.

"As for me, in righteousness shall I behold thy face: I shall be satisfied, when I awake, with contemplating thy likeness." Also Ps. 10 and 14.

of individuals, the deep-seated sympathy for the poor and humble is seen to be even more striking. Israel, poor and helpless, is the victim; his rich and powerful neighbors are the oppressors.

It may be said, in fact, that the Book of Psalms is, more than any other book in the Bible, the book of the poor man and of the poor people. It is steeped in the emotions of the destitute and helpless. Expressions of fellow-feeling for their hard lot, supplications for their protection and vindication, and exhortations to mitigate their distress are found in large numbers. At a time when the official direction of Jewish life is commonly thought to have rested in the hands of the aristocratic and well-to-do priest party (the Sadducees), the canonization of these pleadings for the needy and humble and the pre-eminence later given them in the ritual indicate conclusively the strong hold they had on Jewish life and the controlling influence they exerted in creating sympathy for the social classes concerned.

Reflecting the concern of another group of leaders in the unfortunate classes is the Wisdom Literature of the Bible, consisting of the books of Proverbs, Job and Ecclesiastes. These books, written between 380 and 180 B.C., the creations of teachers, often laymen "opposed to the religious and political views of the official priesthood," while differing widely in content and spirit from one another, all appealed to the individual conscience and thought, and not to traditional or national ideals and observances. All

three abound in sympathy for the needy and the weak. Those that take advantage of them are rebuked and those who have mercy for them and relieve their misery are praised.[12] Charity and humanity are exalted. "Whoso mocketh the poor reproacheth his Maker" (Prov. 17:5). God is the champion of the poor; their cry reaches him (Job 34:28), and He gives them their right (Job 36:6).

The entire Bible vibrates and tingles with a quick and burning sympathy for the poor and the handicapped. And for the Hebrew people its pages were not mere literature, but the recollections or impressions that had to do with experiences which had ploughed deep into its soul. The very beginnings of Israel were identified with a battle to save the nation from poverty, exploitation and oppression at the hands of their Egyptian masters, a battle that left a profound impress upon the consciousness of the Jew, making for social justice and humanitarian feeling and operating against the oppression of natives and strangers alike. As a result of these experiences of the Jewish people from the very earliest times and as a result of its deliberately conceived plan of self-education through the method of chronicling and canonizing its experiences, championship of the unfortunate fell on responsive soil. Notable episodes having to do with such championship

[12] Prov. 3:27; 14:21, 31; 22:16; 29:7; 30:14; 31:9. Job 20:19; 22:6; 24:2-4, 9, 14; 29 (entire chap.); 31:13-32; 34:28; 36:6. Eccles. 5:7-8; 11:1-2.

are recorded in the Bible. Leaving unmentioned the utterances and activities of the writing prophets, already referred to, one needs but recall the severe criticism of anticipated royal exploitation in Samuel's farewell speech, the denunciation of the extravagance of Solomon and Jeroboam, the ascription of Rehoboam's rejection by Israel to his reduction of the common people to desperate want, and similar incidents. In addition, there were the actions of leading Biblical personalities to serve as examples of benefaction to be imitated—Abraham's hospitality to wayfarers, Boaz's kindness to the widow-stranger, the poor widow's altruism in sharing her mite with Elijah; and there was the visualization of nobility of conduct in the character of Job (historic or allegorical), type of the righteous man who, among his other virtues, treated justly and humanely his servants, the poor, the widow, the orphan, the wanderer.[13] There was also the exaltation of the practise of charity as an essential virtue of the woman of worth held up as an ideal of a wife in the Book of Proverbs.[14] This chapter was read by the husband at the Sabbath Eve home service preceding the meal, in the later centuries. Finally, the latest festival ordained in the Bible, Purim—the Feast of Esther and Mordecai—was to have as an essential

[13] 31:13-22, 32: The fundamental principle here again is equality under one Maker. *Cf.* verse 15.

[14] 31:20: "She stretcheth out her hand to the poor; yea, she reacheth forth her hands to the needy."

feature of its observance "the sending of portions to one another, and gifts to the poor." [15] This aspect of Purim was universally cultivated in all subsequent ages.

Of actual economic measures adopted to prevent poverty there are several indications. Besides the provisions contained in the law of the Jubilee year against alienation of homesteads, the law of the Sabbatical Year, in addition to its agricultural phases above referred to, also released all debtors of money obligations and thus served as a sort of bankruptcy law, permitting those in debt to have a fresh start every seventh year. We shall see that this law was later virtually evaded, but it appears to have been enforced throughout the Biblical era.

We have the record of a thorough reconstruction of the economic life of the community according to a program of justice following what we in these days would call a survey of living conditions, by Nehemiah, soon after the re-establishment of the Second Commonwealth, and consisting of the abolition of serfdom for debt and of landlords' and landowners' profiteering and a redistribution of the population according to industrial needs.[16]

Such was the pure and powerful stream of charitable ideals and ordinances and emotions which emanated from the Bible, and which, mingling with a perennial current of kindred humanitarianism,

[15] Esther 9:22.
[16] Neh. 5:1-13; 11:1-36.

swept forward to water and enrich the vast expanse of rabbinical life.

. . . . . .

In turning to the consideration of the motives that animated Hebrew benevolence, it is well to avoid the error of assuming that there is but one motive operating in a person at any given time. Acts of benevolence, like all other acts, are not the result of a single, detached impulse or purpose, but are the result of a combination of motives, seldom clearly formulated or even comprehended. There are several interplaying concurrent motives, usually merged in a complex, leading to any given step or course of conduct. Side by side with the most altruistic impulses, there may be found selfish considerations, often unformulated and inarticulate. What may be said—and even then with the greatest of caution and only as the broadest sort of generalization—is that a certain motive or a certain set of motives may at any given period, or, better still, among any given group of writers and personalities, be the dominating one. The prophetic writings may thus be characterized as asserting justice to be the animating reason for works of charity. The sanction for justice itself is the Will of God:[17] "Thus saith the Lord." Prosperity and happiness are described as the reward of obeying the will of God,

[17] "The will of God, as the ultimate reason for human goodness, derives its value from His ethical nature." Moritz Lazarus: *Ethics of Judaism*, Vol. I, Ch. 2, Sec. 83.

though these are not directly held up as considerations for beneficence and never obscure the worth of doing right for its own sake. The Deuteronomic legislation and exhortations appealed more to the humanitarian motive, though they held out, at the same time, a reward of long life and prosperity. In the Psalms, the impulses invoked are pity for the poor as wronged ones and justice to them as the special protégés of God. Rewards are offered in the shape of ultimate prosperity, but communion with God, was, nevertheless, considered sufficient. The Book of Proverbs appeals to enlightened self-interest. Humanitarian and fraternal considerations seem to govern Job's feelings.

On the whole, it may be said that, in the attempt to induce men to be charitable, the writings of the prophets appealed to the highest ethical motives; the Book of Deuteronomy gave philanthropy the deepest emotional touch; the Psalms invoked aid to the distressed on the most fervent religious grounds, and the Wisdom Literature met the demand of the most practical utilitarianism. Everywhere the love of one's fellowmen [18] as brothers of the same paternity—God—ran alongside as a concurrent determining force. The penitential motive—righteousness for the sake of salvation in the hereafter—did not yet figure.

What, then, did the Biblical period and its chief

[18] "Thou shalt love thy neighbor as thyself." Lev. 19:18.

creation, the Holy Scriptures, have to pass down to the subsequent generations, in the way of philanthropic teaching and action? First of all, a warm, glowing feeling for charitable deed, which amounted almost to a passion. In pointing out that "the Levitical law first applied a new standard to social life" through its injunction "Thou shalt love thy neighbor as thyself" (Lev. 19:18), Charles Stuart Loch declared: "This thought is the outcome of a deep ethical fervor—the element which the Jews brought into the work of charity." [19] In his "Christian Charity in the Ancient Church" Uhlhorn erred when he assumed throughout his book [20] that there was no element of love in charity until the advent of Christianity. The long and distinguished record of Christianity in the field of redeeming love, even after due deduction has been made for the pauperization brought about by the monastic system complained of by Lecky [21] and others, can stand on its own merits and does not need the glory belonging to an older religion—that of being the first to imbue benevolence with love.

Secondly, it was the Jewish Biblical law that first made charity a human obligation incumbent on every person.[22] While the amount of much—no doubt most—of the benevolence enjoined was left to the

[19] "Charity and Charities," in *Encyclopedia Britannica.*

[20] See particularly pp. 7-9, 39 *f.*

[21] *History of European Morals,* Ch. 4.

[22] Kohler: "The Historical Development of Jewish Charity," in *Hebrew Union College and Other Addresses,* p. 230.

conscience of each individual in the form of monitions, the giving of the elements of subsistence was made compulsory through legislation.

Thirdly, definite measures of relief of those in want and regulations of a preventive nature were evolved and set into motion. The scheme was fragmentary and the action, except for the enforcement phase, was a duty laid upon individuals acting severally and not collectively. Yet a clearly defined, tangible set of obligatory contributions was present, although in embryonic state, and it formed a skeleton for a more complete body of obligatory charity in later ages.

Fourthly, during this period there was made clear for all time the chief, the basic causes of poverty and misery, namely, economic maladjustment and injustice due to human greed. This was the special contribution of the great prophets, although the Psalmists and law-makers and seers had a share in the great work. We are not surprised at Philo's glowing laudation of the charity injunctions in the Pentateuch which he gives in the course of his summary and elaboration of the humanitarian laws of the Pentateuch.[23] The benefits extended by these regulations are, in the interpretation of this cultured Jew, who in his person and thought blended the noblest of Hebrew and Greek civilization of the time (end of first century B.C. and first half of first cen-

[23] *Cf.* his *On Humanity,* C. D. Yonge's translation, Vol. III, p. 423-453.

tury A.D.), not limited to Hebrews; at least, Philo's own sympathies are all-inclusive.

. . . . . .

The Biblical period did not develop a comprehensive system of philanthropy, in our modern meaning of the word, but it had in it the germ for such a system. It exercised a profound, yes, a determining influence on all future Jewish benevolent thought and endeavor. It was the main current in the stream of Jewish charity and thereby helped water the soil of kindness and uplift among humankind generally.

CHAPTER II

THE APOCRYPHA

In the literature of the Apocrypha, which was written during the period immediately following the close of the Bible canon, there are two books which devote special attention to the doing of charity. They differ diametrically from one another. Ecclesiasticus, the work of Ben Sira, belongs to the Wisdom Literature. Tobit is a religious tale dealing with the tribulations of a righteous couple.

Ben Sira has several observations on beneficence and loving-kindness of the same pattern as those found in the Bible, particularly the book of Proverbs. Here is a passage appealing to the human sympathies of the strong in behalf of the weak and also charging him in the spirit of the prophets not to exploit the poor nor to permit the latter to be wronged in judicial litigation (4: 1-6, 8-10):

My son, defraud not the poor of his living, and make not the needy eyes to wait long.

Make not an hungry soul sorrowful; neither provoke a man in his distress.

Add not more trouble to an heart that is vexed; and defer not to give to him that is in need.

Reject not the supplication of the afflicted; neither turn away thy face from a poor man.

Turn not away thine eye from the needy, and give him no occasion to curse thee:

For if he curse thee in the bitterness of his soul, his prayer shall be heard of Him that made him.

Let it not grieve thee to bow down thine ear to the poor, and give him a friendly answer with meekness.

Deliver him that suffereth wrong from the hand of the oppressor; and be not faint-hearted when thou sittest in judgment.

Be a father unto the fatherless, and instead of an husband unto their mother: so shalt thou be as the son of the Most High, and he shall love thee more than thy mother doth.

Injustice to the poor is denounced in still more drastic terms in the following lines. Robbery of the needy cannot be atoned for by gifts to religion (34:20-22):

Whoso bringeth an offering of the goods of the poor doeth as one that killeth the son before his father's eyes.

The bread of the needy is their life: he that defraudeth him thereof is a man of blood.

He that taketh away his neighbour's living slayeth him; and he that defraudeth the labourer of his hire is a blood-shedder.

In the next passage obedience to God's commandments and resultant prosperity are emphasized as the motives for beneficence. It would seem that the rewards are those of this world (29:9-10, 12-13):

Help the poor for the commandment's sake, and turn him not away because of his poverty.

Lose thy money for thy brother and thy friend, and let it not rust under a stone to be lost.

Shut up alms in thy storehouses: and it shall deliver thee from all affliction.

It shall fight for thee against thine enemies better than a mighty shield and strong spear.

Ben Sira charges the reader to withhold charity from the ungodly, lest it strengthen him in his resources to do evil (12:1-7):

He takes a fling at miserliness, thus (14:3):

Riches are not comely for a niggard: and what should an envious man do with money?

He believes there is a standing warfare between the rich and the poor (13:18-20).

He grows sarcastic about the deference shown the rich and the belittling of the poor, thus (13:22-23):

When a rich man is fallen, he hath many helpers: he speaketh things not to be spoken, and yet men justify him: the poor man slipped, and yet they rebuked him too; he spake wisely, and could have no place.

When a rich man speaketh, every man holdeth his tongue, and, look what he saith, they extol it to the clouds: but if the poor man speak, they say, What fellow is this? and if he stumble, they will help to overthrow him.

He appeals to the pride and self-respect of the needy not to make use of the grudging hospitality and loans of patrons. He exhibits a fine insight into human nature of both beneficiaries and benefactors (29:24-18):

For it is a miserable life to go from house to house: for where thou art a stranger, thou darest not open thy mouth.

Thou shalt entertain, and feast, and have no thanks: moreover thou shalt hear bitter words:

Come, thou stranger, and furnish a table, and feed me of that thou hast ready.

Give place, thou stranger, to an honorable man; my brother cometh to be lodged, and I have need of mine house.

These things are grievous to a man of understanding; the upbraiding of house-room, and reproaching of the lender.

In a kindly spirit, again appealing to the basic human sympathies and suggesting the more spiritual rewards, he calls for charity, acts of consolation for those who sorrow and mourn, and friendly visiting of the sick (7:32-35):

And stretch thine hand unto the poor, that thy blessing may be perfected.

A gift hath grace in the sight of every man living; and for the dead detain it not.

Fail not to be with them that weep, and mourn with them that mourn.

Be not slow to visit the sick: for that shall make thee to be beloved.

The Book of Tobit shows an entirely different trend of thought. It attaches extraordinary importance to alms-giving and to acts of kindness in connection with burial and acclaims these as chief virtues. Such acts avert evils and yield prosperity. The doctrine of merit through good works has already attained a dominant position here. This development must have taken place in the wake of the wholesale suffering and slaughter that befell

the people in the Maccabean wars. A few verses from the admonition given by Tobit to his son will suffice, as they are characteristic of the entire book, which dwells on almsgiving repeatedly (4:7-10):

Give alms of thy substance; and when thou givest alms, let not thine eye be envious, neither turn thy face from any poor, and the face of God shall not be turned away from thee.

If thou hast abundance, give alms accordingly: if thou have but a little, be not afraid to give according to that little:

For thou layest up a good treasure for thyself against the day of necessity.

Because that alms do deliver from death, and suffereth not to come into darkness.

It is to be noted that the doctrine of merit, while already appearing as a powerful motive, avoids the crude assertion of precise relation between virtue and reward. For though Tobit, like Job, is eventually restored to happiness, nevertheless the heroes of both these tales suffer great tribulations, despite their piety and righteousness. Their merit, therefore, flows out of their persistence in virtue even when virtue does not pay, although in the end, contrary to expectation, it is recognized and rewarded.

It is also interesting to note the change in the meaning of the word "Zedakah." In Proverbs, this word signifies "righteousness," and this is the meaning it has in the phrase "Righteousness delivers from death" (10:2 and 11:4). But in Tobit

Zedakah has come to be identified with "almsgiving," and is so used in the same phrase "Almsgiving delivers from death." This transition in a sense narrows the maxim of Proverbs, but it at the same time discloses the tendency to make practical application of a general moral rule.

We see also the growing conception of the atoning power of almsgiving.[1] This conception later on played a great part in the doctrine of atonement. It found expression in the formula, "Repentance, Prayer and Charity avert the evil decree," recited in the liturgy of the New Year and the Day of Atonement as a leading belief of popular theology. Associated with this belief was the regular collection of alms on fast days which became a standing feature of Jewish charitable organization. In representing Jesus as denouncing the public distribution of alms as evidence of a love for displaying one's virtue, Matthew (6:1-2) erroneously associated the blowing of the trumpet with the collection of alms. The blowing of the trumpet was part of the public ceremony of repentance on fast days called at times of drought. The distribution of alms on those occasions constituted a practical exercise in mercy. At all other times charity was distributed with special safeguards against publicity.[2]

[1] "Prayer is good with fasting and alms and righteousness." Tobit, 12:8. "Water will quench a flaming fire; and alms maketh an atonement for sins." Ben Sira, 3:30.

[2] *Cf.* C. G. Montefiore: *Synoptic Gospels,* Vol. 2, pp. 530-532, Macmillan Co., London, 1909.

CHAPTER III

THE EARLY SYNAGOGUE AND COMMUNAL CHARITY ORGANIZATION

THE liberation from Græco-Syrian rule achieved by the Maccabees and their followers (165-142 B.C.) brought along in its train an increased devotion to the Jewish religion. The preservation of Judaism had been the predominant motive in the valiant fight put up by the Jews. The Bible emerged from the issue with a new distinction—as a precious possession that had been imperilled. Many books that had become endeared as religious literature were now declared sacred.

The canonization of the third and last section of the Hebrew Scriptures—the Kethubim or Holy Writings—at about 160 B.C., rendered the Bible the ultimate authority on all matters, civil and religious, in Jewish life. It became the constitution of the Jewish people, the text-book and source of all doctrine and conduct.

The adoption of the Bible as the supreme law in Jewish life tended to increase the importance of the synagogues as centers of religious and social activity by providing a medium of instruction at

these places of meeting and common worship. The synagogue, which had sprung up in Babylonia in the sixth century, B.C., during the period of the Exile, when the Temple at Jerusalem lay in ruins, soon became a permanent institution, at first found only in large centers of population, both in the restored Second Commonwealth and outside of Palestine, and later on everywhere, even in the very smallest communities. Synagogues arose in Jerusalem itself, alongside of the Temple. Everywhere they answered the daily spiritual needs of the people as seats of worship and instruction and as centers of communal activity. The Temple at Jerusalem remained the great national shrine, where public worship and the sacrificial cult were maintained with pomp and circumstance, and to which pilgrimages were made. In at least two cases known to us, settlements far away from Jerusalem (one in Elephantine in Upper Egypt, the other in Leontopolis, in Lower Egypt), had disregarded the prohibition laid down in Deuteronomy against the offering of sacrifices in any other place than the national sanctuary. To the establishment of synagogues, however, there was no Biblical objection. Synagogues began as religious agencies supplementary to the Temple, but, as their usefulness grew, they drew to themselves more and more the allegiance and the support both of the common people and of the scholarly elements. It is likely that by the middle of the second century, B.C., they were the recognized

communal centers for worship, learning and assembly.

Since we shall presently advance the view that the beginnings of organized Jewish relief are closely associated with the rise and spread of synagogues, mention may be made at this point of the earliest instances of these institutions substantiated by historical records.

There was a synagogue at Schedia, near Alexandria, dedicated to Ptolemy III, Euergetes (247-222 B.C.).[1]

In the latter half of the second century, B.C., a synagogue existed in Xenephyris, in the Delta region of Egypt. An inscription, engraved in Greek on a block of marble, found in 1912, reads: "In honor of King Ptolemy and of the Queen Cleopatra, his sister, and of the Queen Cleopatra, his wife, the Jews of Xenephyris (have consecrated) the portal of the Synagogue, the presidents being Theodorus and Achillion." The reference here is to Ptolemy Physcon, and the date of the inscription falls between 143 and 117 B.C., probably nearer to 143.[2]

We have records of several other Egyptian synagogues extant in the second and first centuries, B.C.[3]

[1] Samuel Krauss: *Synagogale Altertümer*, Berlin and Vienna, 1922, p. 263; Emil Schürer, *Geschichte des Jüdischen Volkes*, II, p. 499.

[2] Joseph Offord: "A New Inscription Concerning the Jews in Egypt." Palestine Exploration Fund, Quarterly Statement, Jan., 1914, pp. 45-46.

[3] Krauss, *op. cit.*, pp. 263-265; Schürer, *loc. cit.*

In 1914, the remains of a synagogue were discovered at Jerusalem, in the course of excavations on Mount Ophel. This synagogue, according to Prof. Ch. Clermont-Ganneau, was built sometime during the Herodian period (37 B.C.-66 A.D.), more probably about 10 B.C., either to replace or to supplement an original structure extant when Pompey captured Jerusalem in 63 B.C.[4]

There was a famous synagogue in Alexandria extant at this time, which we shall refer to presently.

Josephus and the New Testament speak of synagogues frequently, treating them as fixtures in Jewish life. According to Schürer,[5] who made an intensive study of this period, there were synagogues in every Jewish community in Palestine, Egypt, Asia Minor and Greece, Italy and Africa. Even the smallest town had one, and there were several in Jerusalem, Rome and other large centers.

It was around the synagogues that public relief sprang up. Already in the Temple itself, according to an old, carefully preserved rabbinical source,

[4] Stanley A. Cook: "The Synagogue of Theodotos at Jerusalem," Palestine Exploration Fund, Monthly Statement, Jan., 1921, p. 23; Gerald M. Fitz-Gerald: "Notes on Recent Discoveries," *ibid.*, Oct., 1921, p. 181; Clermont-Ganneau: Découverte à Jérusalem d'une Synagogue de l'Epoque Hérodienne in *Syria*, Vol. I (1921), p. 190.

[5] *Op. cit.* II, 497 f. Krauss, in the work cited, also has a comprehensive summary of the spread of synagogues in these centuries. Ch. III, pp. 199-267.

there was a room, the Lishkat Chashaim [6] ("Chamber of Whispers or Silence"), where the pious, unobserved, left donations for the respectable poor.

But the synagogues, being local institutions, where the needs of neighborhoods or of groups received more attention than at the national sanctuary and where laymen enjoyed special opportunity to participate in all activities, developed, naturally, into agencies that provided for the wants of the poor, the dependent and the stranger. The need of coordinating the assistance granted various individuals and of having them attended to by some person or persons who stood out as representative of the public must have been felt in all of the growing communities. The emergence of a new type of institution in the form of the synagogue, while primarily meant to meet a religious and educational demand, at the same time answered certain social desiderata, among them an instrumentality for the collection and distribution of food and clothing for those in want and for the provision of shelter for the stranger. Data are still wanting to permit us to speak with absolute assurance of the social welfare services rendered by the synagogues at any given time during the three centuries preceding the common era. But we have one very old record referring to the large synagogue—the Basilica—in

[6] Mishnah Shekalim 5:6: "The God-fearing left donations there, unobserved and the godly poor provided themselves there, unobserved."

Alexandria, which indicates that new-comers in that community found opportunities for affiliation in crafts and guilds through the medium of that institution. In this edifice, our record informs us, the people were grouped according to their crafts and occupations "in order that, in case a stranger came, he might join his craft. And thence came his livelihood." [7] It is not known when this synagogue, the cathedral congregation of that populous old Jewish community, was founded. It must have been extant in the second century, B.C., and probably earlier. It was destroyed, according to one version of this old description, by Trajan in 116 A.D.

If economic opportunities were to be had in synagogues, shelter, food and raiment for those in need were surely offered there. We have a record, again undated, but very old, which makes it clear that the ancient synagogues were used as places of shelter and sustenance for wayfarers. It is found in the tractate Pesachim in connection with a discussion concerning the recital of the Sanctification of the Sabbath wine and bread. "Why should Kiddush be said in the synagogue? In order to give strangers who ate, drank and slept in the synagogue an opportunity to discharge their religious duty." [8] And we have indisputable historical evidence of at

[7] kede sheyehe aksenoi ba umittattel leümanaso umisham hayesah parnaso yozeah. Tosephta IV 5. Zuckermandel edit., p. 198. German translation and other recensions given in S. Krauss: *Syn. Alt.*, pp. 261-263.

[8] 101 a.

20.8.b #3

least one synagogue which offered shelter to wayfarers in the Herodian era.[9]

Excavations of ancient synagogue sites are still in their infancy, but the few records already found and the fact of the existence of a long-established system of public relief centering around the synagogues a little over a century later (antedating for some time the codification of the Mishnah, *c.* 200 A.D.), and having its counterpart in the earliest Christian churches, warrant the conclusion that organized public relief, in connection with the activities of the synagogue, arose during the period between the closing of the Bible canon and the political disruption of the Jewish state.

We are inclined to accept with Lehmann[10] the report of the Tosephta that each city had a place corresponding to the Chamber of Silence in the Temple, where donations were left and taken unobserved, and to assume that this place was in the principal synagogue. From some such fragmentary provisions, measures of relief of a systematic nature sprang up, although we are at present still in the dark as to their precise nature, just as we are similarly uninformed as to the date of their first emergence.

Concerning at least one aspect of aid administered by the synagogue in those days, there is some cer-

[9] See page 38 *f.*

[10] Joseph Lehmann: "Assistance publique et privée d'après l'antique Législation juive," *Révue des Etudes Juives,* Vol. 35 (1897), Appendix, p. xxii.

tainty. Shelter, as well as food, no doubt, was supplied to strangers. The Greek inscription belonging to the synagogue (reconstructed c. 10 B.C.), found on Mount Ophel in Jerusalem and referred to above, mentions a hostel as one of its features. The translation, as given by Clermont-Ganneau and rendered from the French into English by Stanley A. Cook, reads: "Theodotos, son of Vettenos, priest and chief of the synagogue, grandson of the chief of the synagogue, built this synagogue for the reading of the law and for the teaching of the commandments, and also this hostel with its chambers and water-fittings for the need of those who, coming from the outside, have lodged there; (an establishment) founded (of old) by his fathers and by the elders and by Simonides." [11]

Commenting on the Theodotos inscription, Gerald M. Fitz-Gerald declares: "This is not the only instance of a hostel in close connection with a synagogue. In some cases the hostel was perhaps on the ground floor with the synagogue above." [12]

This function of the early synagogues, as of the later, as places of hospitality, tallies with their accredited character in rabbinical literature as seats of social welfare, of charity for strangers and the homeless, for the sick and the needy. Perhaps the

[11] Stanley A. Cook, *loc. cit.*

[12] *Loc. cit. Cf.* also A. Marmorstein: "The Inscription of Theodotos," Palestine Exploration Fund, Jan., 1921, pp. 23-28.

עליות or upper chambers, attached to the synagogues, were designed for these uses.

It is uncertain whether, during the early stages of the evolution of the synagogue, the president (Rosh Ha-keneset ראש הכנסת, ἀρχισυνάγωγος, archisynagogus) had charge of relief measures or a special official acted. But if not at the beginning, then very soon thereafter there appeared special administrators of charity (Gabbai Zedakah גבאי צדקה), who had no connection with worship.[13] They served without remuneration. Their position was one of such honor that members of priestly families might marry into the families of the charity administrators without the need of any certification on the part of the latter. This Hebrew name is the one the administrators of charity most commonly bore thereafter. In some communities in the Orient and the Occident, their appellation was that of Parnas (פרנס Provider or Sustainer), a title used also in many places to designate the president or a supervising trustee of a congregation.[14] The appointment of special charity officers was

[13] Schürer, *op. cit.*, p. 509 *f.*

[14] In the Babylonian Talmud and the Codes, they are as a rule called Gabbai; in the Jerusalem Talmud, Parnas. Thus in the latter, Rabbi Akiba (50-132 A.D.) is referred to as Parnas, and so too several of his contemporaries. Peah 6:6-8. In the communities of Egypt during the tenth and eleventh centuries the same title is used. Jacob Mann: *The Jews in Egypt and in Palestine under the Fatimid Caliphs*, 2 vols., Oxford University Press, 1920-1922, Vol. I, p. 259. So also still later in Rome in the 16th and 17th centuries. Vogelstein and Rieger: *Gesch. der Juden in Rom*, Berlin, 1896, Vol. 2, p. 129.

probably due to the necessity for a division of labor in the larger communities but these officers always worked hand in hand with the president of the congregation or under his guidance.

The congregational basis and form of organized relief was taken over by the Christian churches when these separated from the Jewish community. The Christian deacons and presbyters in their capacity of supervisors and dispensers of charity corresponded to the Jewish Parnasim (Providers) and Gabbaim (Treasurers or Dispensers). The Church even took over bodily the ecclesiastical tithe and collected it, whereas the Synagogue, after the fall of the state, contented itself with keeping it on its books as suspended legislation, to be enforced again when Palestine would be restored to the Jewish people.

Meanwhile organized Jewish charity kept on developing. In the next period we find it in a comparatively advanced stage of evolution.

PART TWO

FROM THE FALL OF THE STATE TO THE BEGINNINGS OF EMANCIPATION

CHAPTER I

INTRODUCTORY

THE fall of the state in 70 A.D. changed profoundly the conditions of Jewish life. From that time on, and until the era of emancipation which, broadly speaking, set in with the French Revolution, the Jews were not the final arbiters of their own destinies. The ultimate determination of their economic and social condition was in the hands of their political masters, civil or ecclesiastical, as the case might be. Whether they lived in Asia, in Africa or in Europe; whether their overlords were Mohammedans or Christians, they were regarded as a special class, distinct from the rest of the population and subject to special laws.

Left without political unity of their own and not permitted to assimilate with their neighbors, their traditional Law, with the Bible as its heart, became all the more cherished. It stood forth as the one great bond that united them. Academies arose and scholars multiplied, in order to preserve and expound the Law and its accumulated interpretations. Rabbinical law, accordingly, grew by leaps and bounds. It attained great prestige and carried great weight.

The very exclusion of the Jews from the political life of the states in which they lived gave an opening for the rabbinical law to serve as the law of Jewish life, secular and religious. For, while Jewish life was circumscribed and restricted in relation to the general population and subject to continual disturbance from the outside, as described, within those narrow confines it was substantially self-directed. The governments under which they lived interfered but rarely in the internal life of the Jews, finding it to their advantage to let them manage their own affairs, and to deal with the community as a whole in matters of taxation, restrictions and privileges.[1] With the discontinuance of the Sanhedrin, the last surviving legislative and judicial organ, rabbinical law became the supreme authority in Jewish life and was recognized by the government and given the backing of the state. Henceforth and up to the era of modern emancipation, the jurisdiction of the rabbinical law was undisputed, its sway extending both over secular and religious affairs. To a people as devoted to the classic period of their past as the Jews were, who loved their religious treasures—literature, customs, institutions, precepts—so passionately, the permission to use their own organic law as their governing code came as a blessing and served as a compensation for all misfortune. And, more than that, the

[1] Israel Abrahams: *Jewish Life in the Middle Ages*, Phila., Jewish Publication Society, 1911, Chap. 3 (Communal Organization).

observance of the same law everywhere brought about a remarkable unity and uniformity in Jewish life, no matter how far apart the communities might be, and no matter under what dominion. The word "law" does not really cover the case. We mean not only law in the strict sense, but also the whole mass of doctrine, precepts, ideals and usages elaborated by the post-Biblical religious authorities.

The rabbinical laws and regulations concerning charity and relief, like those bearing on other aspects of existence, had for their heart the legislation and ideals and standards of the Bible. Around these latter the rabbis of the Talmud and their successors built the superstructure of their teachings. The decisions of the learned bodies in the Palestinian and Babylonian academies [2] and the opinions of individual teachers of distinction recorded in the Talmud (the former having the force of law and the latter of revered instruction); the enactments of local and district councils, carrying compulsion in the territories over which they exercised jurisdiction and conviction in other regions; the precepts of eminent teachers like Maimonides and Jacob ben Asher and Joseph Caro, embodied in their monumental literary works; the decisions (Teshubot) of learned rabbis in answer to questions addressed to them by communities and individuals;

[2] The leading academies of Palestine were Jabneh, Usha, Sephoris and Tiberias, while the main seats of learning in Babylonia were at Nehardea, Sura, Pumbedita and Machuza.

and the ethical and homiletical dicta of authors on religious themes stretching from the close of the Bible to the era of secularism ushered in by Moses Mendelssohn—all these were in the nature, not of displacement of the Biblical doctrine, but of elaboration and supplementation. The new material, rising to the noble heights of philosophic abstraction and ethical idealism in the hands of a Maimonides, and sinking to the level of involved legalism and hair-splitting casuistry in the hands of certain inferior writers, never obscured for them the beauty and the inspiration of the original Bible sources, nor rendered tnem less receptive to the influences of Israel's experiences during his early classic, creative days. It was in fact the rich reservoir of humanitarian and ethical ordinance and sentiment, accumulated during centuries of unparalleled outer and inner experiences preceding the era we are surveying, that supplied both the momentum and the plan for the unbroken chain of philanthropic ideals and endeavors, forged during the subsequent generations. The very pre-eminence of the Biblical doctrine insured its immortality in the rabbinical era.

The supreme authority vested in the Law and its accredited elaborations tended to cast all legislation into fixed molds and to circumscribe freedom of inventiveness so far as the general outlines of personal and communal procedure were concerned. But within these general molds much latitude was

permitted. Real rigidity did not set in until the codification of the Talmud (c.500 A.D.). Even then, eminent teachers permitted themselves to differ from the traditional rulings. And, side by side with the legalistic material there issued from the mouths of sages and homilists a mass of instruction which took the form of episode and aphorism. Life, with its demands and its experiences, always independent of previously created molds, instituted its own norms as it needed them.

CHAPTER II

THE TALMUD

When the interpretations and elaborations of Scripture reached a stage where they could not, on account of the quantity of material accumulated and because of the inaccuracy of human memory, proceed any further by way of oral transmission, the decisions of the rabbinical academies and of the more notable teachers were assembled and edited by Rabbi Meir and Rabbi Jehudah Ha-Nasi in the Mishnah (c. 200 A.D.). The Mishnah contains utterances and enactments extending as far back as 200 or 250 B.C. Its contents are, for the most part, legal in form. There are some ethical portions of a high order, like the Pirke Abot, commonly known as the "Ethics of the Fathers."

Towards the end of the treatise "Peah," where the regulations concerning the corners of the field (observed only theoretically since the fall of the state) are elaborated, we find the outlines of a system of organized relief enacted into law and, to all appearances, treated as an old and long-established part of the social order, as, indeed, it was.

Herewith is a translation of this important Mishnaic source, cited in its entirety.

Chapter 8, Paragraph 7: "A poor man should not be given less than a Kikkar (of food), which sells for a Pundyon, when wheat sells four seahs for a Sela. If he spends the night, he should be provided with the expenses of lodging. If he spends the Sabbath, he should be given food for three meals. Whoever has food for two meals should not take anything from the community plate (תמחוי Tamchui). If he has food for fourteen meals, he should not take anything from the community chest (קופה Kuppah). The Kuppah is collected by two persons and distributed by three.

(Paragraph 8) "Whoever has two hundred (200) Zuz should not take of gleanings, forgotten sheaves, corners of the field and tithes for the poor. If he has two hundred (200) less one dinar, even if he be given one thousand (1,000) Zuz in one gift, he may take. If (these two hundred Zuz) are pledged to a debtor or as a marriage dower, he may take. He cannot be compelled to sell his house or his utensils.[1]

(Paragraph 9) "Whosoever has fifty (50) Zuz and does business therewith should not accept charity. And whoever does not need to take and does take shall come to want at the hands of man before he departs from the world. And whoever needs to take and does not take,[2] shall not die of

[1] This refers to accepting aid from private sources, not from the public funds.

[2] *I.e.,* manages to get along without it.

old age until he shall have supported others out of his own means. And concerning him Scripture says: 'Blessed be the man who trusts in the Lord; the Lord will be his refuge.' [3] And the same is the case with a judge who executes true justice to his fellow-man. And whoever does not limp on one foot, is not blind, or lame on both feet, and passes off as such, will not die of old age until he be like one of them, as Scripture says: 'But he that searches for evil, it shall come upon him,' [4] and 'Justice, justice shalt thou pursue.' [5] And every judge who takes bribes and sets aside justice shall not die of old age before his eyes are dimmed, as Scripture says: 'And thou shalt take no bribe, for a bribe blindeth them that have sight.' " [6]

This passage gives a fair indication of the lines of development taken by Jewish philanthropy since Bible days. Private charity and public charity were found existing side by side. Public charity had become systematized, and now had two funds, a daily collection (plate or basket) and a weekly collection (chest). The workings of these will be described later. There were charity administrators, the number of whom was fixed. Their specific functions and qualifications will also be dwelt on later. Fixed standards were set, to indicate the minimum of

[3] Jer. 17:7.
[4] Prov. 11:27.
[5] Deut. 16:20.
[6] Ex. 23:8.

relief allowed to transients. We shall see later that local poor were to be provided for according to their needs. Standards were also set to ensure self-support and prevent pauperization of the applicants for relief.

The taking of charity was not held up, as in the medieval church and in the system of Buddha, as an ideal. Imposition was forbidden. The dominant motive appealed to was long life and prosperity in return for obedience, in contrast with troubled years in return for disobedience, all under divine dispensation. Motives of altruism were not mentioned here, although they always, as we shall see, existed, alongside of the more utilitarian appeals. Neither was the reward of salvation in the life to come used here, although the Mishnah already used freely the appeal of the future life, employing it, indeed, in the very first paragraph of this book Peah, where it says: "These are the things, the fruits of which one enjoys in this life and the capital of which holds over for him in the world to come: Honoring of parents, deeds of loving-kindness and the promotion of peace between a man and his neighbor. But the study of the Law excels them all." [7]

There is a section corresponding to this passage from the Mishnah in the Tosephta,[8] which is a collection of legal decisions and observations not in-

[7] Mishnah Peah 1:1.
[8] Tosephta Peah 4:8-21 (Zuckermandel edition, pp. 23-25).

corporated in Rabbi Judah Ha-Nasi's compilation. Most of this section from the Tosephta, as is true of this compilation generally, consists of remnants from compilations earlier than the Mishnah, but it also contains some later additions. It is difficult to fix the date of each unit. But the Tosephta passage discloses the system of early relief as much more elaborately developed than the Mishnah's briefer account suggests. Since the chief portions of this passage are quoted in various places in the Gemara (which will be treated presently) we shall not cite it *in extenso* but merely call attention to those points which represent substantial differences from the Mishnah passages or important additions thereto. The problem of the professional beggar was already then an acute one. The rule is here laid down: "There is no obligation towards those who beg from door to door," but this recommended unconcern did not meet with favor and the rule was never accepted. We shall see that Maimonides in his codification of the law requires that something shall be given to the beggar. The subsequent codists follow Maimonides.

The purposes of the two funds, the time of distribution and the degree of obligation devolving on length of residence, are clearly stated. The duty to keep in mind the accustomed social status of the needy in the giving of relief is strongly insisted upon. It is urged to disguise charity as a loan or gift in the case of proud poor and to resort to a

ruse, if necessary, to persuade misers to support themselves properly. The charity collectors are cautioned to avoid exposing themselves to suspicion. High intention and noble motive are emphasized, the story of King Monobaz [9] being used as an illustration. Personal service is lauded, uncharitableness classed in the same category of sins as idolatry. Charity and personal service are declared to serve as an intercessory force between Israel and God.

The Mishnah, representing the codification of the Oral Law, now became the text of the academies. When, in the course of many generations, the dicta and the agenda of the doctors of the law began to assume vast proportions and were in danger of being confused or even lost, these and the discussions that went with them were edited as the Gemara. The two component parts took shape as the Talmud, the Mishnah appearing as text, and the Gemara as running commentary. The Talmud consists, in reality, of two distinct works: (1) The Jerusalem Talmud, the product of Palestinian teachers, concluded approximately by 350 B.C., and (2) the Babylonian Talmud, the product of Babylonian teachers, finished and edited approximately 500 A.D. The Babylonian Talmud is by far the larger of the two. It contains teachings, legal opinions and narratives of rabbinical leaders, dating from 250 B.C. to 500 A.D. This is the Talmud

[9] See below, p. 57.

commonly meant when the word "Talmud" is used without any other appellation.

The decisions of the Talmudic doctors, arrived at by a majority vote, or at least by an informal taking of the consensus of opinion in a learned body possessing the proper authority, became the accepted law of Jewish life, while their "obiter dicta" carried considerable moral weight.

The charity injunctions or precepts of Scripture received a great deal of attention in the Talmudic discussions and legislation. The pages of the Talmud reflect the high spirit of the Bible regarding relief and show the practical application of the Biblical sources to the solution of the problems of a later day. The elaborated and amplified material now became the recognized authority.

As is characteristic of the very loosely ordered arrangement of the Talmud in general, there is no systematic assemblage of philanthropic material in any given tractate. Matter bearing on charity is found scattered throughout the various treatises. The largest single section in the Babylonian Talmud is Baba Batra, pages 8a through 11a, while the tractate Peah (chap. 8, para. 6-8), contains the most considerable single portion of the Jerusalem Talmud (Jerushalmi).

The legislation and thought of the Talmud on charity, as well as on all other matters, established the standards of procedure and the general outlines of sentiment for the entire rabbinical era which fol-

lowed, this being substantially identical with the medieval. Since all later writings derive their authority from the Talmud, we have, in order to make clear the historic continuity of the stream, as well as for reasons of convenience, merged what the Talmud has to say on the subject of general public relief with the matter found in the writings of the subsequent masters bearing on the same theme under the heading "General Public Relief and Its Administration." Indications of sources are there given, so that the reader can, if he so desires, trace the data to their chronological moorings.

All that we can attempt here in the way of presenting something of its vast amount of dicta on the other aspects of philanthropy, scattered over hundreds of pages without classification, in unordered sequence, and usually called forth in connection with some discussion only incidentally related, is to cite a few rulings, observations and incidents, under appropriate captions.

Importance of Doing Charity.

"R. Assi said, 'Charity outweighs all the other commandments together.' " Baba Batra 9a.

"R. Huna said, 'Whoever busies himself in the study of the Law alone (without engaging in acts of loving-kindness) is like one who recognizes no God.' " Abodah Zara 17b.

"Even a poor person who receives charity must in turn give charity." Gittin 7b.

"Simon the Just used to say, 'The world rests on three things: upon the Torah, worship and the practice of charity.'" Abot 1:2.

The Spirit of Giving, Not the Amount, Counts.

"R. Isaac said: 'Whoever gives a farthing to a man is blessed with seven blessings; and whoever comforts him with words is blessed with eleven blessings.'" Baba Batra 9b.

"R. Simeon ben Yochai said: 'It is meet for a man to deliver himself unto a burning oven rather than cause his fellow-man to blush in public.'" Ketubot 67b.

"If a poor man does not want to accept charity, a ruse may be used and he should be given it as a present or a loan." Ibidem.

Generosity and Parsimony.

"If a man's means allow, he should give according to the needs of the poor. If his means do not allow that much, he should give a fifth of his possessions, this being the highest standard; or one-tenth, which is the average. Less than that betokens a mean spirit." Ketubot 50a and 67b.

The Poor to Be Given More Than Mere Subsistence.

"Mar Ukba sent his son to a poor man with the usual 400 Zuz he allowed him on the eve of the Day of Atonement. The son returned and said the man was not in need. 'Why, what have you seen?' asked

Mar Ukba. He said, 'I observed that he was served with old wine.' Said Mar Ukba, 'He has been brought up to it (*i.e.*, he is used to it; it is proper).' He thereupon doubled the amount and sent it to him. When Mar Ukba was on the point of death, he said, 'Bring me my charity account.' He found the total to be 7,000 dinar. He said, 'The provisions are meagre and the road is a long one.' " Ketubot 67b.

Motives and Rewards.

"I believe you should do the good deed (give away the money) for its own sake." Quoted as a teaching of R. Jochanan to his own relatives. Baba Batra 10a.

"All charity and kindness that Israel does begets great peace and powerful intercessors between Israel and their father in heaven." Ibidem.

"Charity actually averts death." Sabbath 156b.

"King Monobaz distributed lavishly his own treasures and the treasures of his fathers. His brothers and relatives complained and said to him: 'Thy fathers stored up and added to what their fathers left and thou squanderest it all.' He answered, "My fathers hoarded up for here below; I store up for heaven. My fathers hoarded up in a place where the human hand can lay hold; I store up in a place where the hand cannot reach. My fathers hoarded up something that yields no fruit; I store up something that yields fruit. My fathers

hoarded up money; I store up treasures in the shape of human souls. My fathers hoarded up for this life; I store up for the life to come." Baba Batra 11a; Jerushalmi Peah 1:1; Tosephta Peah 4:18. Zuckermandel edit., p. 24.[10]

Rabbi Judan, reduced in fortune, sells half of the small field left to him, and contributes the money from the sale to the collectors of charity. He finds a treasure in the remaining portion of the field and is restored to his former prosperity. Jerushalmi Horayot III, 4.

Why God Permits Poverty to Exist.

"R. Meir said, Should a skeptic object and say, 'If your God loves the poor, why does He not sustain them?' answer him, 'In order that we may be saved from hell.' And this is the very question Turnus Rufus asked of Akiba." The Roman compared the sufferings of the poor to the punishment visited by a king on a servant who had angered him, and argued that God must be displeased with those who relieve the lot of the poor, just as the king would be offended if someone supplied his imprisoned servant with food. Akiba retorted by saying that the comparison is rather with a king who had imprisoned his own son for an offense but who was pleased with any one who sent the prisoner food. Baba Batra 10a.

[10] *Cf.* Sermon on the Mount: "Lay not up for yourselves treasures upon the earth, where moth and rust consume, and where thieves break through and steal," etc., Matt. 6:19-20.

Prevention Better Than Relief.

"R. Abba said, in the name of R. Simeon ben Lakesh, 'He who advances a loan is greater than he who gives charity and he who puts in capital for partnership (with the person in distress) is more meritorious than all others.' " Sabbath 63a.

Destitution and Repugnant Work to Be Preferred to Taking Charity.

" 'Make thy Sabbath a weekday and do not be reduced to need the help of human beings.' " Rabbi Jochanan. Pesachim 113a.

"Skin a carcass on the street and take pay for it, and do not say, 'I am a priest,' or 'I am a great man.' " Said by Rav to R. Kahana. Ibidem.

On Neglecting to Support One's Children.

"A snake bears children and casts them on the city (for support)." Ketubot 49b.

"Turn a mortar upside down (*i.e.*, erect a platform) in public and call out: 'The raven wants children and this man does not want children.' " Ibidem.

Sympathy and Understanding Required of Both Giver and Receiver.

In giving a symbolic interpretation of the characters of the alphabet (put in the mouth of children who visited the academy), the Talmud muses whimsically on the forms of the letters Gimmel and

Dalet. The two letters together mean "Gemol Dallim" (גמל דלים), "Show kindness to the poor." "Why does the foot of the Gimmel go out towards the Dalet? Because it is the way of the benevolent to run after the poor. Why is the foot of the Dalet turned towards the Gimmel? That the Dalet (*i.e.*, the poor) should be on hand (*i.e.*, they should not make it necessary for the benevolent to run after them). Why is the face of the Dalet turned away from the Gimmel? That the help should be given to him secretly, sparing him blushes." Sabbath 104a.

CHAPTER III

THE CODES AND ETHICAL WORKS

As already indicated, the Talmud remained the supreme authority over Jewish life until the Jewish communities came under secular jurisdiction as integral portions of the common citizenry in modern times.[1] But because of its complexity and loose order, which made its use difficult for the average man, and also with the view of recording and standardizing the various interpretations that had sprung up around its legislation, several later scholars of distinction endeavored to systematize its material into orderly codes of law. Three of these became standard manuals in Jewish life whose authority was widespread, well-nigh universal.

The first of these compilations is the *Mishneh Torah* (Second Law) also known as the *Yad Ha-Hazakah* (The Mighty Hand), the work of the greatest of the medieval Jewish thinkers and scholars, Moses Maimonides (born Cordova 1135, died Cairo, 1204). Owing to the advanced thought

[1] It still wields great authority among the faithful of the orthodox. . . . "The compilation of the Talmud signifies nothing less than the final fixation of the entire Jewish law." Louis Ginzberg, "Codification Law," in *Jewish Encyclopedia.*

and methods of Maimonides, the authority of this code, as well as of his other writings, was challenged by a considerable fraction of Jewry during his lifetime, but it met with universal recognition soon thereafter, and retained its hold until the dissolution of rabbinical control in modern days.

Philanthropy occupies a position of dignity and importance in the Maimonides code. His own additions and exposition of the Biblical and Talmudic material reach a height of humanity and spirituality without parallel in medieval times and scarcely excelled by any legislation or dicta in the twentieth century. It would be hard to find any brief summary of the motives that should animate relief and the manner that should characterize its dispensing that compares to his Eight Degrees of Charity.

The Eight Degrees of Charity

(From *Maimonides,* "Portions of the Poor," Chap. 10, Para. 7-14)

There are eight degrees in the giving of charity, one superior to the other. A high degree, than which there is no higher, is that of one who takes hold of an Israelite who has become impoverished and gives him a gift or a loan or goes into partnership with him or finds work for him, in order to strengthen his hand so that he be spared the necessity of appealing for help. And concerning him it is said, "Then shalt thou uphold him, as a stranger and a settler shall he live with thee" (Lev. 25:35), as if to say: Take hold of him that he fall not and come to need.

Less than this (*i.e.,* next below in rank) is the case of one who gives charity to the poor, without knowing to whom he gives and without the poor knowing from whom he

takes. For behold this is a good deed done for its own sake. An instance of this is (what took place) in the Chamber of Silence (or Unostentation) in the Sanctuary, where the righteous brought their gifts secretly and the respectable poor helped themselves secretly. And akin to this is the case of the one who contributes to the public charity fund. And one should not contribute to the charity fund unless he knows that he who is in charge of it is trustworthy, wise and understands how to manage it properly, like R. Chananiah ben Teradyon.

Less than this is the case of the one who knows to whom he gives, without the poor knowing from whom he receives. An example of this is the practice of distinguished wise men who used to go secretly and leave money at the doors of the poor. And in this manner it is fitting to act, and it is then the highest procedure, if those appointed over the charity work do not conduct it properly.

Less than this is the case where the poor man knows from whom he takes but the giver does not know the receiver. An example of this type is the practice of the wise who used to wrap up money in their cloaks and cast the bundles back of them (without looking), the poor coming afterwards to pick them up, thus being spared all shame.

Less than this is the case of him who gives without being asked.

Less than this is the case of him who gives after he is asked.

Less than this is the case of him who gives less than is proper, but in a pleasant manner.

Less than this is the case of him who gives reluctantly.

Teachings on the subject of helping the poor occur in his various writings,[2] but the major portion of his

[2] Maimonides codified and interpreted the Rabbinic law based on the Biblical injunction to "send gifts to the poor." (Esther

treatment of charity is found in the second section of Book Seven, Division Three of *The Mighty Hand* under the caption "Portions of the Poor" (Matnot Aniyyim מתנות עניים) from which the "Eight Degrees of Charity" was quoted. Following the order of the Mishnah, he attaches his observations on charity generally to his codification of the Biblical agricultural provisions for the poor and dependent classes.

To the end of incorporating and harmonizing the various decisions and opinions on Jewish law which accumulated since Maimonides' codification and also with a view to abridging and simplifying it, Jacob ben Asher (born in Germany, date uncertain; died in Toledo, Spain, before 1340) made a new codex called *Arbaah Turim* ("The Four Rows") or, more popularly *Tur*, which, without displacing Maimonides, held the field as the standard authority for two centuries.

The subject of beneficence receives elaborate treatment in the *Tur*, in the "Row" called *Yoreh Deah*, under the caption Hilkot Zedakah ("The Laws of Charity"). The *Tur* formulates the principles and methods of relief with scientific care and in lucid style. This compilation of all preceding enactments and dicta on charity is the most complete one made up to that time. The subject matter is arranged ac-

9:22) on the Feast of Purim. *Cf.* Claude G. Montefiore's translation, in his *Bible for Home Reading*, Vol. 2, pp. 406-407. Macmillan Co., London, 1920.

cording to logical divisions and subdivisions, such as The Duty to Give, the Measure of Giving, and so forth. Its general plan became the model for all subsequent codifiers.

The author's own opinions and additions while perhaps not quite as original as those of Maimonides, breathe a deep spirit of humanity. I translate from the Hebrew and quote the first section which is in the nature of an Introduction to the whole.

> "It is a duty to give as much as one can afford. One must be very, very careful, more so than with any other positive commandment, lest the needy die if he does not receive help at once. He who hides his eyes from the poor is called a base fellow (Deut. 15:9), while he who is conscientious in this is by that very fact attested as coming from the seed blessed of God. The eminence of Israel and the Religion of Truth are dependent for their continued security on Zedakah (Is. 54:14) and Israel's redemption is conditioned upon Zedakah. It is greater than sacrifices. One is never impoverished through the giving of charity and no evil is ever caused thereby, for it is said: 'The work of Zedakah shall be peace (Is. 32:17).' And whoever shows mercy to the poor receives mercy at the hands of God. And a man should also give earnest thought to the consideration that as he seeks at all times from the Holy One that He should provide for his

support and heed his supplication, so he should heed the cry of the poor. And also that God is near to the cry of the poor and also that God has a covenant with the poor (Ex. 22:21-26). A man should further consider that the revolving wheel of life makes it certain that he himself must eventually come to such a pass, and if not he, his son or his grandson. And he should not be influenced by the thought, 'Why shall I reduce my possessions by giving to the poor?', for he should know that his money is naught else but a trust fund to be used in accordance with the will of Him who entrusted it, and His will is that he distribute thereof to the poor, and that is the best portion He derives from it. And furthermore (he should know) that the fact is clear and established that he will not come to want on account of the charity he gave but, on the contrary, it will bring him added wealth and honor. . . . And further (the giving of charity) averts hard decrees and in famine saves from death, as happened to the woman of Zarephat (I Kings, 17:8-24) by virtue of the small cake she gave Elijah. And the withholding of charity keeps away those who are approaching the Shekinah[3] (the Divine Presence) from it and from the Torah, as happened with Ammon and Moab who were near to us but were kept away because they did

[3] That is, those ready to embrace the faith.

not receive us with bread and water. But it brings near those who are far, to nestle under the wings of the Shekinah, as happened to Jethro when he said: 'Call him and let him eat bread' (Ex. 2:20). Accordingly, one must be very scrupulous to give as is meet.

"And I shall presently explain the nature of it as I found it written in the name of R. Saadia and out of the words of R. Moses ben Maimon (Maimonides), together with some other opinions. And I shall make clear at the outset who is obligated to give, and how much he is obligated to give, and when he must give, and how much it is meet to give to each one, and to whom he shall give, and which takes precedence, and who is eligible to receive, and from whom, and how it is collected and distributed, and its voluntary phases, and its diversion before it reaches the hands of the collectors and after."

Circumstances resembling those which led to the production of Jacob ben Asher's *Tur*, in time made necessary the creation of a new code. The *Shulchan Aruk* (The Set Table), the work of Joseph Caro (b. Spain or Portugal 1488; d. Safed, Palestine 1575), answered this need, appearing in 1565.[4] It eclipsed the *Tur* as the standard au-

[4] The "Shulchan Aruk" was written by Caro in his old age for the benefit of those who did not possess the education necessary to understand his earlier and more erudite work "Bet Yosef," published 1550-1559. His own preference was for the "Bet

thority, without however rendering it obsolete. The *Shulchan Aruk*, following the same general classification as the *Tur*, likewise treats of charity in the division *Yoreh Deah* and under the subject "Laws of Charity" (Hilkot Zedakah).[5] The material here takes the form of commandments (Mizvot). The *Shulchan Aruk* has remained the standard law of Jewish life wherever rabbinical authority has maintained itself.

It must be understood clearly that these three standard codes which served as the guide books of Jewish law from the twelfth century on did not in any way supersede the Talmud, which remained the only real decisive and final authority. Their expositions of the Talmud were, however, commonly regarded as the correct ones, though there were not lacking instances of very eminent rabbis who permitted themselves independent interpretations (Posekim) of specific points not in accord with the standard codifiers.[6]

Yosef," but the "Shulchan Aruk" became the popular work. *Cf.* Louis Ginzberg, *Jewish Encyclopedia,* s.v. "Joseph b. Ephraim Caro."

[5] An English translation has been made by Louis Feinberg under the title, "Section on Charity from the Shulhan Arukh," as Number 6 in the "Studies in Social Work," of the N. Y. School of Philanthropy, N. Y., Nov., 1915.

[6] Prof. Ginzberg thus summarizes the work of the three great systematizers of rabbinical law: "The three great codifiers of the Middle Ages, Maimonides, Jacob ben Asher and Caro, had each a special task: Maimonides, that of systematizing the law; Jacob ben Asher, of sifting it critically, and Caro of unifying it." J. E., *Codification of the Law.*

Numerous lesser codes appeared from the days of Maimonides on, virtually all of them devoting a section of their works to philanthropy under the headings Zedakah and Gemilut Chasadim. On the whole they add very little to what the major sources contain. The same thing is true of the entire type of Responsa literature (Sheëlot U-teshubot—"Inquiries and Responses") which abounded throughout the medieval period. These latter are indeed much more given to legalistic content and style.

Inspirational Sources Other than Codes

There is a vast array of inspirational sources bearing on charitable ideals and effort outside of the legal material (Halakah). Ethical and homiletical literature, in the form of story and instruction (usually called Haggadah or Agadta) is found intertwined with the legal decisions or set down in independent works. Narratives and admonitions of this kind occur frequently throughout the Talmud while the Midrashic literature containing the homilies of teachers and preachers extending over many centuries—probably from the third to the ninth—fairly teems with them. The codes allude to them and the numerous Biblical and Talmudic commentaries, and supercommentaries, busy themselves with them. Of independent works devoted altogether, or in large part, to philanthropy, the following deserve special mention:

(1) *Sefer Ha-Chinnuk* (ספר החנוך), "The Book of Pedagogy," by Aaron (ben Joseph) Halevi of Barcelona (13th century) who devotes several paragraphs to charity, where a high spiritual note is struck.

(2) *Sefer Chasidim* (ספר חסידים), "The Book of the Pious," a work accredited to Judah He-Chasid, written c. 1200, which sets aside several considerable sections to the treatment of this theme and, at times, reaches a lofty ethical level.

(3) *Menorat Ha-Maor* (מנורת המאור), "The Candelabra of Light," by Isaac Aboab the Elder (13th century), where paragraphs 186-221 concern themselves with Charity and Loving-kindness.

(4) *Matteh Mosheh* (מטה משה), "The Staff of Moses," by Moses of Przemysl (c. 1600), which devotes seven chapters to Charity and one to Loving-kindness.

(5) *Meïl Zedakah* (מעיל צדקה), "The Mantle of Charity," by Elijah ben Solomon Abraham Hakohen of Smyrna (d. 1729), a large anthology of thoughts and sentiments on the subject of charity and personal service gathered from various sources—Talmud, Midrash, later writings—mostly of an ethical character, and containing also personal reflections by the author.

Other works, concerning themselves to a lesser extent with our subject, are referred to elsewhere in this study as the need arises, or are listed in the bibliography.

There is one writer of the Middle Ages whose incidental reflections on benevolence deserve to be singled out, like the rest of his teachings, because of their noble spiritual character, representing a beautiful blending of philosophy and religiousness and, at times, bordering on the mystic. We refer to Rabbi Bachya Ibn Pakuda, judge in the rabbinical court at Saragossa, Spain, in the first half of the eleventh century. He wrote a remarkable book on Jewish Ethics, *Duties of the Heart*, in Arabic, in 1040. It was translated into Hebrew under the title *Chobot Ha-Lebabot* by Judah Ibn Tibbon in the years 1161-80. We quote some excerpts which are specially notable for their analysis of human motives—immediate and ultimate—as they bear on benevolence.

The Motives of Human Benevolence

"There are five aspects of human beneficence:—(1) that of the father to his children; (2) of the master to his slave; (3) of the rich to the poor, in order that he may receive the reward of heaven; (4) that of some men to others, for the sake of acquiring a good name, or honour, or worldly reward; (5) that of the strong towards the weak, because he pities them, and because he is pained on account of their condition.

"If we look closely at all these kinds of benevolence, we shall find that, in motive, not one of them is entirely disinterested."

(Here follows an analysis of the first two aspects.)

"The beneficence of the rich to the poor, for the sake of the reward of heaven, is like the purchase by a business man of a great and permanent advantage to come to him at some future time, in return for a small, perishable, and contemptible good that he parts with immediately; and his only intention is to adorn his own soul in his after-life. And yet, in spite of all this, gratitude is due to him.

(Here follows an analysis of the fourth aspect.)

"Even he that takes pity upon the poor and the afflicted whose sufferings are painful to him, intends, by relieving them, to relieve himself of a pain that afflicts his own soul; and he is like one who, by the goodness of God, is healing himself of a painful illness; but yet he is not left without praise.

"Thus the primary intention of everyone in doing good to others, is to do good to himself, or save himself from pain.

Man's Obligation of Gratitude to God

"If man earns gratitude, reward and love for intermittent beneficence that is not unselfish, how great must be our obligation of service, gratitude and praise to the Creator of goodness, who therewith causes all good, and whose goodness is without end and continuous, and is entirely free from all egoistic motive or intention, but is a pure freewill gift, and whose kindness is extended to all reasonable beings.

The Motive Forces That Impel Man to Grateful Service

"There are two distinct motive forces impelling man to humble and grateful service of God. One of them is inherent in human reason, implanted in man's intelligence, and hidden deep within the very roots of his being; the

second is acquired by means of his hearing and understanding. This second is the Torah.

"The service due to the humility of hope and fear is that which arises from the acquired, external motive which enforces the obligation with rewards and punishments in this world and in the world to come; the second kind is induced by the working of the hidden motive force of Reason, innate in human nature, and bound up with the union of man's soul to his body. Both kinds of humility are praiseworthy, and both lead to a right way of life and conduct; but the one is the complement of the other, and the motive of the Torah is the stepping-stone to both, while the motive of Reason, and the way of proof, is the preferable and nearer to God.

"The service undertaken at the prompting of Reason is free from all suspicion of hypocrisy, and from all admixture of hope or fear. It springs from a philosophic knowledge of how the creature is indebted to the Creator, and is not restricted to actual outward acts, but will include the ethical working of the heart and mind—the fulfilment of the duties of the heart." [7]

[7] The English translation used here is taken from Edwin Collins' version of the book in the Wisdom of the East Series, pp. 26-30. N. Y., Dutton, 1910.

CHAPTER IV

RULING PRINCIPLES AND IDEALS

In a history extending over so many centuries, an experience so diverse and a literature corresponding, there is naturally a mass of sentiments and ideals of great variety and of some discordance, but in this case there is nevertheless easily discernible an impressive substratum of unified opinion and aspiration which we may with perfect propriety designate the fundamental or underlying principles and ideals basic to Jewish philanthropy. The reverence for the original nucleus drawn from the Bible and from traditions of Biblical times and the similarity of living conditions throughout the various settlements in which Jews found themselves during this long period account in part for this unity; while the comparative rigidity of rabbinical legislation and outlook furnishes an additional reason why the early basic principles retained their position of primacy in the later generations of our era.

We shall point out several currents of conviction and ideals that run through the field of Jewish charity laws and literature, watering and enriching the whole.

Clearly stated at times and implied always as a premise, is the thought that *the poor and dependent are the special wards of God and are therefore commended to the conscience and tender solicitude of the well-to-do by their common Maker.*[1] "God is nigh unto the cry of the poor and has a (special) covenant with them," [2] writes *Tur.* "Who are His people (*i.e.*, his relatives)?" "The poor," declares the Midrash.[3]

In the spirit of the Bible, which speaks of the poor as "thy brother" and of his needs as the special concern of God, the Talmud and post-Biblical authorities constantly admonish those who are comfortably circumstanced to look after the proper maintenance of those in want or distress as if the well-to-do were His agents on earth. They are to give this matter their closest thought. R. Jonah [4] remarked, "Scripture does not say, Happy is the man who giveth to the poor, but Happy is the man who *considereth* the poor (Ps. 41:2). This wording refers to one who

[1] "God created the rich and the poor." Meïl Zedakah § 1598. The Biblical source for this sentiment is Prov. 22:2: "The rich and the poor meet together; the Lord is the maker of them all." *Cf.* also Tur 247.

[2] Tur 247. *Cf.* also Meïl Zedakah § 1501. "The withholding of charity from the poor being like withholding it from God who undertakes to provide for the poor."

[3] Ex. Rabbah 31:12: "The ways of God are unlike the ways of human beings. Among men when one is rich and has a poor relative, he hides from before him, being embarrassed to converse with him. . . . But if the relative is rich, all cling to him and love him. But the Holy One is not so. Who are His people? The poor. . . ."

[4] Palestinian teacher, 4th century, A.D.

considers well how to do a good deed." [5] The most devoted cultivation of religion misses its mark unless accompanied by works of loving-kindness.[6] God himself has set the example for human beings in personally ministering to the distressed, clothing the naked, visiting the sick, comforting the mourners, burying the dead. Commenting on the verse "After the Lord your God shall ye go" (Deut. 13:5) the Talmud says, "Just as He clothed the naked, as it is written, 'The Lord God made tunics for Adam and his wife and clothed them' (Gen. 3:21), so thou shouldst clothe the naked; as he visited the sick, as it is written, 'The Lord appeared to him in the plain of Mamre' (Gen. 18:1, *i.e.*, Abraham was sick as the result of circumcision), so thou shouldst visit the sick; as God comforted the mourners, as it is written, 'The Lord blessed Isaac, his son' (Gen. 25:11), so thou shouldst comfort the mourners; as God buried the dead, as it is written, 'He buried him in the valley' (Deut. 34:6), so shouldst thou bury the dead." Indeed, points out Rabbi Simlai, summarizing the above, the Torah begins and ends with instances of loving-kindness, God being the agent.[7] The 613 commandments were reduced by David to 11, by Isaiah to 6, by Micah to 3, and again by Isaiah

[5] Jerush. Peah 8:8. *Cf.* also Tur 247: "One must be very, very careful, more so than with any other positive commandment, lest the needy perish through not receiving help at once." Also Mat. An. 10:1.

[6] *Cf.* Conversation of Chanina ben Teradyon and Eleazar ben Porta, Abodah Zarah 17 b.

[7] Sotah 14 a.

to 2, and by Habakkuk to 1, but in all the reductions charity (Zedakah) is mentioned or implied.[8] God attaches great credit to the rendering of help to those created in His image.[9] Whoever denies the value of loving-kindness (Gemilut Chasadim) denies as it were the first principles of religion, *i.e.*, the divine origin of the world, the foundation of which is loving-kindness (Chesed).[10] Indeed, communion with God is hindered by the disinclination to do charity and furthered by its exercise (Tur. 247).

A second premise, running parallel with the first and often merging into it, is the assumption that *all goods in the last analysis come from and belong to God, the Source of all things, their human possessors being merely custodians of this trust-fund who must share with those in want.* This idea, hovering in the background of practically all the writings on our theme, finds its clearest exposition perhaps in the *Tur* of Jacob ben Asher. "A man should not be influenced by the thought, 'Why should I reduce my possessions by giving to the poor?' for he should know that his money is naught else but a deposit (or trust fund) to be used in accordance with the will of the depositor, and His will is that he distribute thereof to the poor and that is the best portion (*i.e.*, the greatest benefit) He derives from

[8] Meïl Zedakah § 230, commenting on Makkot 23 b and 24 a.
[9] Yalkut Shimeoni on Ps. 37, quoted by Meïl Zedakah § 326.
[10] Meïl Zedakah, § 1322.

it.[11] It is this conviction of the divine ownership of all goods that prompts Maimonides to quote approvingly the declaration of a poor man, in the Talmudic narrative, despite its lack of the niceties of good manners: "Do I eat at the expense of the community? I eat what belongs to God." [12]

Starting with the two premises just described, rabbinical doctrine, drawing the germ of its inspiration from Biblical teaching, sets forth several basic principles and ideals which may be summarized as follows:

I. *Charity (Zedakah)—whether in gifts or loans —does not represent a favor that might be withheld but an imperative obligation springing from elementary considerations of justice.* From the standpoint of the giver, assistance is a sacred duty; from that of the receiver it is an inalienable right.[13] "Gifts to the poor," maintains Maimonides, "are not benevolence but debts." [14] Accordingly, all people, except orphans, are morally obligated to give charity, even the poor who themselves are supported by charity. The latter must give a portion of what they

[11] Tur 247.

[12] Mat. An. 7:1, based on Jerush. Peah 8:8. Josephus explains the right of the poor to the corners, gleanings, etc., as the right of co-proprietors sprung from a common origin with the rich to the products of the land (*Antiq.*, Book IV, 8:21). This is the Biblical doctrine: "For to me belongs the entire earth" (Ex. 19:5 and Psalm 5:12), which according to Philo (*De Humanitate* § 11) is also at the basis of the Sabbatical and Jubilee year legislation.

[13] "The right to assistance was solved by the Bible long ago—the right and duty." Lehmann, *op. cit.*, p. 14.

[14] Mat. An. 1:1-6 and 7:10.

receive.[15] And whoever does not wish to give, or gives less than what is proper, should be compelled by the Bet Din (court) to give what the latter designates; they may seize the reluctant person's goods and take what is proper, and these goods may even be put to pledge on the eve of the Sabbath (when no other seizures were allowed).[16] This refers to the minimum quotas designated for the community funds. There were, over and above these, voluntary amounts expected but not compelled, as additions to the community funds and, besides, sums left to be given as occasion arose in the way of personal charity. What is more, the duty to contribute was not confined to the individual, but extended to the community as an organic whole. Maimonides, Jacob ben Asher and Joseph Caro elaborate on the obligatory nature of communal charity, laying down specific rules for contribution to the primary and secondary funds, based on the length of residence and proportioned to one's means.[17]

And so, while great leeway was given to everyone as to the amount spent in the way of private charity and a good deal of latitude was allowed in the matter of the quantity contributed to the public funds, a decent minimum was exacted from all for the communal treasury, as an elementary obligation, devolving on all members of the body social towards

[15] Gittin 7 b, Mat. An. 9:18.
[16] Tur 248; Shulchan Aruk 248:2.
[17] Mat. An. 9:1-18; Tur 248; Shul. Ar. 256:1.

the support of their weaker brothers. The unwilling were not permitted altogether to shelve the neighborhood's burdens on the generous. They could not escape their plain duty as responsible members of a coherent social unit. The universalization of charity contributions made for a wide distribution of interest in the problems of relief with consequent democratization of management. Everyone being expected, virtually required, to be a patron, the class of patronized was automatically reduced to the lowest proportions. Effort to earn was stimulated and pride in self-dependence promoted, indolence and imposition decreasing in proportion. There was the healthy pride, practically universal, of belonging to the class of those who are benefactors, like the feeling of dignity had by those who pay an income tax in our times, only with this difference: that the large degree of option left made for the free play of generosity, put an edge of keenness to the pride felt and invested labor with a zest not its own.

II. *Righteousness finds its most practical expression in the doing of charity, or, conversely, charity is the best medium of the righteous life.* It is no accident that the Biblical word for righteousness, Zedakah, was adopted in post-Biblical times as the word for charity. It was the result of the concepts and habits of daily living. And there were emotional aspects to this identification. Neither the righteousness nor the charity of the Hebrews represented the result of a logically developed plan of conduct

perfectly poised and esthetically alluring, or motivated by the love of reputation and good will, *i.e.*, external satisfactions, but rather the product of spontaneous impulses and aspirations. Charles Stewart Loch, in his masterly article on "Charity and Charities" in the Encyclopedia Britannica, points out that the Jews brought into the work of charity the element of ethical fervor. This passion for justice and integrity—this burning zeal for the moral and spiritual, which they injected into all the directions of life and which, reaching beyond Hebrew boundaries, also permeated Christianity and Mohammedanism with its infectious warmth, elevated Jewish benevolence above the level of mere acts of expediency and kept it from sinking into the slough of cold routine. Charity and kindliness were felt to constitute so clearly the very stuff of rectitude that the good and the beneficent became inseparably identified in thought, while the wicked could no longer be conceived as capable of the impulses of benevolence. And just as the extending of relief came to be considered a prerequisite of the righteous, so the accepting of it became the almost unfailing mark of integrity. Furthermore, as the basis of religiousness is righteousness, and as righteousness finds its chief vent through beneficence, charity becomes inseparable from true piety and holiness. So with the Biblical ideals of the befriending and support of the unfortunate as the *sine qua non* of personal and social righteousness and religiousness to begin with, the

rabbis and lay leaders emphasized the urgent duty of rectifying the inequalities of wealth and comfort by the surrender—voluntary and exacted—of surplus by those who have it to those who suffer from deficiencies. The affectionate regard in which these Biblical ideals were held in the subsequent centuries may be judged from the fact that the book of Psalms with its unwearying compassion for the unfortunate was apportioned into sections for responsive readings by the night watch (Maamad) during the latter years of the existence of the Temple, this custom being taken over in the popular houses of prayer after the destruction of the national shrine, and also from the circumstance that the famous passage from Isaiah beginning with the sentence, "Is this the fast I have chosen?" (58:6f.), and proceeding to define true religion as justice breaking forth into charity and kindness and liberation, was given the place of supreme honor in the liturgy adopted by the synagogue as the Haphtarah reading (Prophetic portion) for Atonement Day. So essentially did charity and with it personal service become the determining test of character that the Talmud, quoting the distinguished Babylonian master Rabba, lays down the dictum, "Whoever has these three qualities is surely of the seed of Abraham—compassion, modesty and benevolence (רחמן ביישן גומל חסדים)." [18] Maimonides was attracted by this dictum and in different phraseology incorporated it among his pre-

[18] Kallah, Ch. 10.

cepts,[19] and Jacob ben Asher rounded it out thus, "He who shuts his eyes to the needs of the poor is called Belial (Deut. 15:9), while he who is conscientious in this is by that very fact testified to as coming from the seed blessed by God." [20] There is no religious lapse worse than uncharitableness, not even idolatry.[21] Indeed, concentration on religious pursuits, noble as it is, is to no purpose; unless accompanied by works of charity, it is no better than atheism.[22] The author of the "Four Rows" carried out his own preachment in making his own testament. In the ethical will left by him in conjunction with his brother Jehudah their father's generosity is confirmed and expanded.[23]

[19] Mat. An. 10:2.
[20] Tur 247.
[21] Mat. An. 10:3.
[22] Abodah Zarah, 17 b.
[23] See p. 107 below.

CHAPTER V

MOTIVES AND SANCTIONS

We have stated before that it is always a mistake to account for an individual's course of conduct by one motive only; even a single action, seemingly detached, almost invariably reflects a complex of motives. This observation is still more true of large masses of people; they are swayed by many considerations operating simultaneously, some of the motives being consciously entertained and others hardly emerging from the vague realm of the unformulated.

The most that may be said with truth, when endeavoring to ferret out the motives that actuate people in their behavior, is that a certain motive appears to be uppermost in any given situation or that this or that consideration appears to recur oftener than any other during a given period and may therefore be designated as the abiding motive. Accordingly, the claim made by certain writers, like Gehrhard Uhlhorn [1] that Jewish charity was almost wholly evoked by a sense of duty grounded in the

[1] *Christian Charity in the Ancient Church*, Charles Scribner's Sons, N. Y., 1883, Chap. II, "Under the Law." This theory runs through the entire chapter.

religious law, whereas Christian charity in the early centuries was altogether motivated by love, is to be discounted as an exaggeration arising from a predilection for generalization. This author allows himself to fall into the same error in appraising the nature of pagan charity, including the charity of the enlightened Greeks and Romans, which he characterizes as having been evoked by the spirit of self-interest.[2] Even a cursory reading of Greek and Roman literature and history will convince the student that the motive of love of one's fellowmen figured largely in the benefactions of those peoples, while a study of Jewish sources and life reveals the fact that the impulse of love held a position of no mean importance among the various driving forces that impelled to beneficence. What may be said in the way of a general observation, and this only with great reserve, is that in Jewish charity, the ideal of righteousness is invoked more as an impelling motive than in Christian charity, whereas the ideal of love is more appealed to in Christian benevolence than in Jewish.

The ultimate sanction of Jewish philanthropy, as for all other meritorious deeds, was obedience to the will of God. On final analysis, all right conduct, according to Jewish thought, receives its authority from a higher than human power, and the exercise thereof is obligatory on man even when logical reasons are not sufficient to establish its value. But

[2] *Op. cit.* p. 9.

conformity to the will of God as the last sanction is not an arbitrary requirement; it is justified because of God's ethical nature. "Not God, the master, but God, the ideal of all morality, is the fountain-head of man's moral doctrine," declares Prof. Moritz Lazarus to be the fundamental principle of Jewish ethics which he finds embodied in the Biblical verse from the Holiness Code so highly esteemed in Jewish doctrine at all times: "Holy shall ye be, because I the Lord your God am holy." (Lev. 19:2).[3] Looked at from the standpoint of its ultimate religious sanction, Jewish charity, like the rest of Jewish virtue, may be described as "Imitatio Dei."

But the direct motives within that enveloping general sanction, the motives that stirred the hearts of the individual men and women when they brought succor to their needy fellowmen, were many and various. They ranged from those that savored distinctly of self-interest to those that fathomed the deepest soundings of love and altruism. Many impulses, as a rule, worked together in the production of a given act. Often the predominant consideration stands out clearly. The same observation is true with regard to the incentives that controlled mass action. These likewise constituted a complex but the ruling considerations are usually discernible.

There were strong influences holding over from the Biblical period which exercised great potency in determining charitable action in conjunction with

[3] *Ethics of Judaism*, Vol. 1, Ch. 2, Sec. 83.

motives of newer origination. Under the general classification of motives of self-interest may be mentioned the appeal of health, longevity and prosperity, and earthly happiness generally, the same appeal which in reference to the practice of another virtue, finds a place in the Ten Commandments in the clause "that thy days may be long in the land which the Lord thy God giveth thee." [4] This appeal to give, based on terrestrial rewards, is one frequently employed by way of story and exhortation. It found its way into the old prayer book, in the liturgy for the New Year and the Day of Atonement, where it is invoked as a stimulus for virtuous living: "But repentance, prayer and charity avert the evil decree." Effective use was made of this same appeal at funerals when the sexton, carrying a charity box, invited contributions, calling aloud, "Charity saveth from death."

When the doctrine of merit was extended, in post-Biblical days, to include the hereafter within its sphere of functioning, happiness in the world to come was added as a new and powerful incentive to the doing of charity. This new motive went hand in hand with the appeal to earthly rewards and was usually interwoven with it. We have already cited this motive as the principle which controlled King Monobaz's action.[5] A few other instances will suffice. Deeds of loving-kindness, declares the Mish-

[4] Ex. 20:12.
[5] See p. 57 above.

nah, are among the specially meritorious acts to be rewarded in this world and in the next.[6] Maimonides, who, as we shall presently see, ultimately appeals to the highest motives of love and service in human nature, does not hesitate to dwell upon reward in the hereafter as an incentive to benevolence.[7] Rabbi Meir (c. 200) went so far as to say that if it were not for the poor who provided them with the opportunity of exercising benevolence, the well-to-do would be denied salvation in the world to come altogether.[8]

The rewards of honor and praise from one's fellowmen were not stressed; they were, indeed, in theory, at least, discouraged as out of accord with the general principles of giving which required privacy and impersonal relations as much as possible. But in actuality, abundant praise and glory were accorded generous givers.[9]

The higher motives, *i.e.*, the motives dissociated from personal advantage, operated as ever powerful springs of action alongside of the appeals based on self-interest. These motives ran the entire gamut of pity, sympathy and love for the unfortunate.

[6] Peah 1:1, see p. 51 above.
[7] Mat. An. 1:15.
[8] Baba Batra, 10a.
[9] *Cf.* the laudation of the donors to the funds for redemption of captives cited by Jacob Mann, *op. cit.*, Vol. 1, pp. 87-95, 204-205, 232, 244. *Cf.* also the lavish praise of R. Paltiel and his son Samuel for large donations for various purposes, given in Kahira, Egypt, in the eleventh century. A. Neubauer: *Medieval Jewish Chronicles*, Vol. II, pp. 128, 130.

All sentiments and acts falling in the category of Gemilut Chasadim, "loving-kindness," were so motivated. The ultimate sanction for all of these sprang from the love of God and the desire to imitate His nature. Bachya in *His Duties of the Heart*, emphasizes the superior value of the higher motives of conduct. His book carried great weight.[10] Perhaps the most telling monition in behalf of the nobler incentives to virtue was written by Maimonides. We quote an extensive excerpt herewith:

"Let no one say I will fulfill the precepts of the Torah and labor to acquire its wisdom in order that I may acquire all the blessings set forth therein or that I may deserve eternal life in the world to come; or I will keep myself far from the sins condemned in the Torah, in order that I may be delivered from the penalties enumerated therein, or that I may not be cut off from the life thereafter. It is not fitting to serve God in this way, for he who serves Him thus does so out of fear. Such service differs from the high kind of service of the prophets and the sages. Only ignorant people and women and children in the first stages of their development serve God out of fear. When their knowledge grows, they serve Him from motives of love.

"He who serves God from love devotes himself to the Law and the observance of its commandments and walks in the paths of wisdom not because of any worldly consideration nor out of fear of the consequences of evil-doing nor even to inherit good in the hereafter; he does the right because it is right, though in the end good will be added thereto. A very high degree of moral worth is this; not every wise man attains unto it. Such was the distinction of our father Abraham whom the Holy One called his

[10] See page 71 *f* above.

"lover" because he served Him from love alone; and this is the high practice which God commanded us through Moses in the words, 'Thou shalt love the Lord thy God.' Let but that true love of God fill the heart of man and he will presently perform every duty from motives of love." [11]

[11] Mishneh Torah, Sefer Hamadda, *Laws of Repentance,* Ch. 10, paras. 1 and 2.

CHAPTER VI

CHARITY AND PERSONAL SERVICE

It has been seen that Jewish charity did not limit itself to the provision of the elementary necessities of food, raiment and shelter, but embraced a much broader area of service including the extension of loans, and the provision of work and household necessities. It is now to be made clear that even this broad field of assistance was regarded as incomplete, indeed as failing to reach the highest expression of aid, unless it was amplified by personal ministrations imbued with the spirit of mercy and love.

Tracing their sources to Biblical springs, two currents of philanthropic service course through the field of Jewish thought and activity. They are the streams of *Zedakah* and *Gemilut Chasadim*. The first refers to the quantity and kind of aid to which the unfortunate have a claim, moral or legal; or, changing the viewpoint from the beneficiary to the benefactor, such aid, in amount or nature, as devolves upon the giver as an obligation, be this obligation required by law and custom or be it only a matter of conscience. The second, Gemilut Chasa-

dim, refers to those modes of assistance which constitute what may be called the voluntary surplus of benefaction, including that margin of generosity which transcends any and all contributions evoked by a sense of duty, and also, and primarily, those personal services on the part of the benefactor which spring from emotions of compassion and human kinship. The nearest translation for Zedakah in English is "charity"; the root meaning of the word is "right" or "justice." It is difficult to find a suitable equivalent in English for the Hebrew phrase "Gemilut Chasadim." "Chasadim" and its singular "chesed" are used in the Bible and in post-Biblical literature to convey the ideas of "love," "grace," "compassion" and "kind deeds." The closest approach to its Hebrew meaning seems to be the rendering given it by the English Bible, namely, "loving-kindness."

The distinction here drawn between "charity" and "loving-kindness" is made very commonly either explicitly or by implication throughout the literature of the post-Biblical period. It is already met with in the Talmud and Midrashic sources, where "Zedakah" and "Gemilut Chasadim" are frequently contrasted,[1] and occurs often in the subsequent codes and ethical writings. Many of the authorities devote separate sections to these two phases of philanthropy, as for instance, Isaac Aboab the Elder (13th

[1] *E.g.* "Loving-kindness is much greater than charity," Succah 49b.

century)[2] and Moses of Przemysl (16th century),[3] while the greater number content themselves with pointing out the essential differences without setting up formal divisions, as for example, Maimonides (1135-1204)[4] and Aaron ben Joseph Halevi of Barcelona (13th century).[5] Occasionally, the two concepts are merged, but in the vast majority of cases they are kept distinct, forming two golden strands in the cord of philanthropy.

Leaving aside the consideration of that aspect of "loving-kindness" which has to do with extraordinary generosity, and confining our attention in the present chapter to that phase of it which is identified with Personal Service, we note at the outset

[2] In his work, *The Candelabra of Light* (Menorat Ha-maor), sections 186-204 and 205-221.

[3] "The Staff of Moses" (Matteh Mosheh), one chapter on "Charity" and seven on "Loving-kindness."

[4] "Guide for the Perplexed" (Moreh Nebukim), Part III, Ch. 53. "It (chesed) is used especially to denote extraordinary kindness. And it should be noted that loving-kindness expresses itself in two ways (literally, includes two types): first, showing kindness to one that has no claim upon you; and, second, to do good to those to whom it is due in a greater measure than is due them. . . . The term "zedakah" is derived from "zedek," "righteousness," and means the right thing to do, that is, giving every one who has a claim on you according to his claim and giving to every being what he deserves." Freely rendered, following the interpretation of Creskas. See Gerald Friedlander, *Guide to the Perplexed,* Vol. 3, p. 297. This passage is quoted in Meïl Zedakah, para. 732.

[5] *Book of Education* (*Sefer Ha-Chinnuk*), Sec. 479: "And thou, my son, do not think that the commandment concerning charity refers only to the poor who has no bread nor garment; nay, it also applies to the rich . . . for Scripture always prefers deeds of kindness (Gemilut Chasadim) and commands us to satisfy the desires of creatures, children of the covenant, as far as is in our power."

that the ear-mark of "loving-kindness" is, to use the characterization given by Elijah of Smyrna, "that which a man does in his own person to aid his fellowmen." [6] It is this element of philanthropy that is extolled above all others; the gift of one's self excels any financial contribution. This teaching runs through the literature of the entire Rabbinical era, from the Talmud to the eighteenth century authorities. Rabbi Eleazar II (ben Pedat, 3rd century) declared that loving-kindness transcends mere charity as reaping excels sowing.[7] On the same page of the Talmud a dictum of the Sages is cited, reading as follows: "Loving-kindness surpasses charity in three ways: Charity is done with one's money, loving-kindness with one's person or one's money; charity is for the poor, loving-kindness for the poor or rich; charity is for the living, loving-kindness for the living or the dead." Isaac Aboab the Elder, already quoted, interprets the expression "and clothed them," used of God in reference to Adam and Eve (Gen. 3:20), as conveying the meaning that God put on their garments of skin Himself, in order to teach humans the lesson that when one performs an act of loving-kindness, he should not do it through a proxy but with his own hands.[8]

Personal Service came to be particularly identified

[6] Meïl Zedakah, Sec. 311.

[7] Sukkah 49b.

[8] *Op. cit.*, Sec. 186. Cited in Meïl Zedakah Sec. 839. *Cf.* also *Or Zarua*, by Isaac ben Moses of Vienna (c. 1200-1270) on the "Laws of Charity" (Hilkot Zedakah), Sec. 1.

with visiting the sick, ministering to the dying, burying the dead, comforting the mourners, entertaining strangers, and providing poor maidens with dowries.[9] In the course of time, the expression, "Loving-kindness," came also to be used to denote a free loan, and that signification has persisted up to this day; indeed, "Gemilut Chasadim" has become the designation by which free loan societies are commonly known.

Each of these types of Personal Service was idealized and given a wide range of interpretation and application. With reference to visiting the sick—not the poor sick alone—Rabbi Huna said: "Whoever visits the sick takes away one-sixtieth from his sickness. Sixty people could cure him if they loved him as much as themselves." [10] God Himself was represented as burying the dead and comforting the mourners and performing other acts of personal service.[11] The patriarch Abraham, founder of the faith, was held up as the model for the care of strangers, his waiting at the table in an inconspicuous manner on the three visitors being imitated by Gamaliel and other distinguished seers in later days.[12] Again and again does the revered litera-

[9] Baba Kama 100a; Baba Mezia 30a; Sotah 14a; Pirke d'Rabbi Eliezer, Ch. 17; Moses of Przemysl, *op. cit.*, Ch. 2; Isaac Aboab the Elder, *op. cit.*, Sec. 205-221; Elijah of Smyrna, *op. cit.*, Sec. 247.

[10] Lev. Rabbah 34:1. Huna was a Babylonian of the 3d century.

[11] Sotah 14a and elsewhere.

[12] Kiddushin 32b. *Cf.* also Gen. R. 60, Sec. 15: "Throughout Sarah's life the doors of her tent were wide open to strangers."

ture of the Jews laud the practice of making the path of poor brides, particularly of orphan girls, easier, by providing them with dowries, the example of Rabbi Eleazar of Birta who diverted the marriage portion of his own daughter to equip a poor orphan boy and girl about to wed being cited for extraordinary praise.[13] As an instance of the many precepts urging the rendering of personal service by the way of extending loans free, the following passage from the Midrash[14] may be quoted:

"Come and see! All the creations of God borrow one from the other: the day borrows from the night and the night from the day . . . the moon from the stars and the stars from the moon. . . . Those who charge interest say, as it were, to God: Why dost Thou not take from Thy world which contains human beings remuneration for the earth which Thou waterest, for the vegetation Thou producest, for the lights Thou kindlest, for the soul Thou breathest in, for the body Thou watchest? God answers: See how much I have lent without taking any interest!" . . .

While Personal Service was mainly identified with the types of helpfulness just described, it was by no means limited to these. It included all conceivable forms of giving one's self to the performance of kindly acts. It included, among other things, the rearing of orphans in one's own home,[15] attendance

[13] Taanit 24a.

[14] Exodus Rabbah 31:16.

[15] R. Samuel bar Nachmani, explaining the meaning of the Scriptural verse "He that doeth righteousness at all times," (Ps. 106:3)

at weddings and other functions at homes of humble folk, and making garments for the poor.[16]

These teachings met with ready and widespread execution. The "Chaberim" or early Chasidic associations made the work of visiting the sick a special obligation on all their members,[17] and in the Middle Ages the practice of cheering those confined to their homes through illness by the members of the congregation generally and by the lay officers in particular was so common that, according to Israel Abrahams, pastoral visiting by the rabbis was superfluous and therefore little done.[18]

There was much tenderness exercised in this work and likewise in personal ministrations to the dying. In the case of a death, in the smaller communities and, until the establishment of special burial societies, in the larger centers, the entire Jewish population interrupted their work and attended the funeral. Affectionate and delicate attentions were accorded the bereaved; the first meal after the funeral (se'udat habra'ah, "meal of consolation") was prepared and brought to them by their neighbors, and words of comfort were spoken to them by visitors.[19] Taking

said: "This refers to one who rears an orphan boy and girl in his home and marries them off." Quoted by Moses Przemysl, *op. cit.*, Ch. 3.

[16] Israel Abrahams treats the human side of our subject fully in his volume *Jewish Life in the Middle Ages*, Ch. 17 and 18.

[17] K. Kohler, *Jewish Encyclopedia*, s.v. "Visiting the Sick."

[18] *Op. cit.*, p. 329f.

[19] *Ibid.;* Kohler, *Jewish Encyclopedia*, s.v. "Consolation" and J. D. Eisenstein, *Jewish Encyclopedia*, s.v. "Mourning."

to heart the precept of R. Jose ben Jochanan of Jerusalem (2nd cent. B.C.), "Let thy house be open wide," the generous and hospitable R. Huna threw open the doors of his home whenever he sat down to break bread, exclaiming, "Whoever wants, let him come and eat," [20] and numberless others acted in the same spirit throughout the era we are studying. Not without a touch of superstition, the presidents of the congregations (Parnasim) in Spain very commonly used the boards of the tables at which they had entertained poor people in their homes for their coffins.[21] In fact, the entertainment of strangers at private homes, especially at the Sabbath meals (Haknasat Orchim), became well-nigh universal and continued to the present generation. People bestirred themselves to procure husbands for poor maidens and arranged for the details of the wedding and the equipment of the household. Special considerateness was exercised in extending loans to those in temporary distress, these being offered in the guise of business investments whenever necessary to save the pride of the person relieved, and all reminders, even unintentional ones, being scrupulously avoided.

In the course of time societies and institutions arose to supplement or extend these various kinds of personal ministrations, but they never displaced

[20] Taanit 20b.

[21] On the authority of R. Bachya b. Asher (13th Cent. ?) as cited by Elijah Hakohen of Smyrna, *op. cit.* 308.

them. "While institutionalized charity is of Jewish origin," says Dr. Kohler in his excellent essay, *The Historical Development of Jewish Charity,*[22] "personal service, personal care for, and personal interest in, the poor, ever remained the 'Leitmotif' of Jewish charity, which was always a beautiful combination of tender compassion and wise provision and helpfulness."

[22] *Hebrew Union College and Other Addresses,* p. 248.

CHAPTER VII

GENERAL PUBLIC RELIEF AND ITS ADMINISTRATION

It will be recalled that organized communal relief originated in connection with the early synagogues. In addition to the data already brought forth, attention is called to an instance recorded by Josephus,[1] of public administration of relief during emergencies in the first half of the first century A.D. At a time of national famine in Judea, Queen Helena of Adiabene, a convert to Judaism, sent a cargo of corn and dried figs from Alexandria and Cyprus to Jerusalem for free distribution among the sufferers. The measures then adopted included, among other things, the appointment of distinguished citizens to supervise the work.[2] Kohler[3] considers this "the first historical evidence of the existence of a body of men at the head of the community having relief work in charge" corresponding to the *Gabbae Zedakah*, the regular charity overseers.

By the time of the composition of the Mishnah,

[1] Antiquities XX, 2, Sec. 5.

[2] Lehmann holds that stations or depots on the grounds of the ancient Temple for the reception and distribution of tithes existed at a time antedating Nehemiah, *i.e.*, before 432 B.C. *Op. cit.*, p. 22.

[3] *Jewish Encyclopedia*, s.v. "Charity and Charitable Institutions."

as we have seen, the existence of a well organized system of relief is an established fact of old standing, accepted as a matter of course. We proceed to describe how it was constituted and how it functioned then and in the later centuries of the period we are now treating.

There were two public charity funds known as the *Tamchui* and the *Kuppah*, rules for the collection and distribution of which are laid down by the Mishnah and elaborated with painstaking care by later authorities. The nature of these funds will be explained later. They became the standard communal relief funds during the Talmudic period and served as prototypes of all later communal relief treasuries. The supreme value attached to organized relief, during the early centuries, is truly remarkable. Every community is enjoined to establish and maintain at least one of these funds. There is every reason to believe that this enlightened requirement was universally fulfilled. We have the statement of Maimonides to this effect, as far as his own era was concerned. "We have never seen and never heard of a community in Israel which has not a Kuppah." [4] Joseph Caro makes the very same observation for his time, adding that there are some places which do not have the Tamchui as a regular institution.[5] When in the course of the growth of a community the public funds reached

[4] Mat. An. 9:3.
[5] Tur 256:1.

an advanced stage of differentiation or, what amounts to the same thing, when separate collections had to be made for different purposes, the obligation to contribute was extended to apply to all of these, the duties of new settlers in this respect being closely defined on the basis of length of residence. In Maimonides' time there were four funds in some communities: the Kuppah and Tamchui, both food funds; a clothing fund (צדקה לכסות) and a burial fund (צדקה לקבורה). Residence of thirty days in a community obligated one to contribute to the Kuppah; of ninety days to the Tamchui; of six months to the clothing fund and of nine months to the burial fund.[6]

Simple or complex, according to the size and needs of the community, there were public funds in every Jewish settlement of any considerable size to which the unfortunate could turn for succor in the hour of need. As time advanced, the sense of communal responsibility in this direction deepened, resulting in the establishment of comprehensive safeguards for the custodianship of the poor funds and in the elaboration of a code of conduct that insured generous and delicate treatment to all those whom misfortune cast on the public bounty.

The general miscellaneous charity fund seems to have answered all the ordinary calls on the community in the early centuries of our period. This fund,

[6] Mat. An. 9:12, based on Baba Batra 8a; Tur 256.

known as the Kuppah (קופה) (chest or coffer),[7] had its beginnings probably in pre-Christian days and was already a well entrenched institution in the second century of the common era. It continued an uninterrupted career until modern days. It drew its main source of income from periodical collections made among the members of the community according to their reputed means. Each individual was permitted to determine the amount contributed, provided it did not fall below the standard minimum which was one-tenth of his income, the administrators of charity being required by rabbinical law and urged by rabbinical ideals to let each person fix the size of his own gift, and being specially admonished against direct solicitation among the overgenerous, particularly those known to stint themselves for the sake of making extra large contributions.[8] Overseers were, however, armed with power to enforce the minimum of decency, in case such action was found to be necessary. But the aim was to make the contributions a matter of voluntary action and to use compulsion only as a last resort. It was an

[7] "Kuppah" was the name of the community exchequer generally; the charity fund was distinguished from the general fund by the designation "Kuppah shel zedakah," but is often referred to also as simply "Kuppah." The meaning may be told from the context. In the 18th century and perhaps earlier, the terms "Zedakah" and "Kuppat Zedakah" are sometimes used freely in the constitutions and by-laws of congregations to include all funds for synagogue purposes.

[8] Tur 248: "I will visit all who oppress him," was interpreted by the rabbis to refer to those collectors who used rough methods with people naturally generous.

admirable combination of the best elements of free will offering and assessment, with emphasis on the former.[9] Left to their own honor, the greater number gave much more and with better grace than if they had been taxed specific quotas.[10] What is more, individuals were stimulated to make extra donations to the Kuppah when the spirit moved them. The periodical collections, supplemented by occasional free will offerings, remained the chief and very likely the sole, source of income in most communities for a long time, but additional sources gradually sprang up. One fertile field of income was furnished by the practice of offering donations for the communal charity box, side by side with donations to the congregation and religious school, in connection with the reading of the Law in the synagogue, to participate in which it was deemed an honor to be "called up." The Law being read publicly three times a week—Mondays, Thursdays and Saturdays—besides holydays, there was thus a steady inflow of donations [11] accruing to the communal treasury of which the charity fund was a

[9] "They (the collectors) take from each one whatever he sees fit to give and the amount levied on him." Mat. An. 9:1.

[10] The generosity of R. Eleazar of Birta ran to such extremes that the charity overseers felt constrained to avoid him for his own good. Taanit 24a.

[11] These donations were voluntary, but the pressure of public opinion tended to render them in effect compulsory, and they were actually made so in very late times in certain communities, as in Amsterdam. *Cf. Statutes of the German Congregation of Amsterdam, 1737,* para. 61.

major beneficiary. Now and then donations of a princely character were made. An instance of such benevolence is the action of R. Paltiel of Kahira (Cairo) Egypt, in donating, when he was "called up to the Law," on the Day of Atonement, 5000 gold dinars (drachmae) for various purposes, of which 2000 were to be devoted for poor relief.[12] When Paltiel died, his son Samuel donated 20,000 drachmae for similar uses. The portions of these and similar donations destined for local uses were no doubt administered by the regular Overseers of the Poor.

The charity fund also drew a portion of its income from donations made on occasions of personal or domestic joy or sorrow, such as weddings, circumcisions and memorials.[13] In some communities, these voluntary gifts were later made mandatory.[14] Still another flow of revenue for the poor chest emanated from various forms of fines imposed for the violation of communal regulations (Takkanot תקנות) which were often diverted from general purposes to those of public relief.[15] And there were, of course, extra collections for exceptional purposes —in effect, emergency levies, whenever the need arose.

[12] 1000 for the poor of Jerusalem and 1000 for general purposes of charity to be distributed by various congregations. Neubauer, *Medieval Jewish Chronicles* II, p. 128.

[13] See Israel Abrahams, *op. cit.*, p. 317.

[14] *Statutes of the German Congregation of Amsterdam* (1737), Sec. 62 and 80.

[15] Menachem Recanati, Piske Halakot, Sec. 54.

A companion fund to the Kuppah, with a history less unbroken and a vogue less universal, was the Tamchui (plate or basket תומחי). This fund consisted originally of contributions in kind, though donations in money were not infrequent. In time the cash contributions equaled the donations in articles [16] and, in populous and well-circumstanced communities, very likely displaced the latter altogether. From the original ready-to-use character of the Tamchui, its purpose may easily be inferred. It was a collection designed to relieve urgent calls that brooked no delay. Such calls came chiefly from transients and only secondarily from special unlooked-for needs that arose among the permanent settlers of the town or its environs. The distinction between the Kuppah and Tamchui may accordingly be summarized as follows: The Kuppah was the permanent and basic fund of the community which supplied the revenue for the support of the regular pensioners of the city or locality, while the Tamchui was the secondary and casual fund—the "call" fund —supplying special and immediate needs, mainly those of non-residents.[17] Collections for the Kuppah, functioning as it did for a fairly constant number of protégés, were accordingly made once a week

[16] This was already the case when the Shulchan Aruk was written. *Cf.* 261:1.

[17] Baba Batra 8b תמחוי לעניי העולם קופה לעניי העיר; Tur 256; Jerush. Peah 8:6.

or less often,[18] and distributed once a week, usually on the eve of the Sabbath, while the collections for the Tamchui were made every day and distributed every day.[19]

After the Talmudic period the Tamchui appears to have been merged with the Kuppah in some communities, the strict separation of the two funds having always been blurred by the permissibility of transference from one to the other.[20] In Maimonides' time, the Kuppah is already the only required public fund, while Caro specifically mentions the fact that in his days the Tamchui does not exist in many places. Israel Abrahams' explanation of the decline and disappearance of the daily collection and distribution appears to be reasonable, namely, because of the rise of other agencies and methods that met more effectively the now greatly multiplied needs hitherto looked after by the Tamchui—the institution of communal inns or of lodging privileges at private inns at public expense, the formation of benevolent societies to care for and entertain resident and non-resident poor, and the reception of poor travelers in the homes of the well-to-do—these new and enlarged provisions being made necessary because of the vast increase of strangers and mendicants con-

[18] The regulations of the German community of Amsterdam provide for an annual tax assessed right before Passover and, if necessary, an extra tax later on. *Statutes*, Secs. 18 and 19.

[19] Baba Batra 8b; Mat. An. 9:1; Tur 256; Shulchan Aruk 256:1; Jerush. Peah 8:6.

[20] Baba Batra 8b; Tur 256; Shul. Ar. 256:14.

sequent upon the attacks and expulsions following in the wake of the Crusades.[21] Shelter as well as food had now to be provided on a systematic basis, so old procedure had to make way for new methods assuring economy of effort and adequacy of provision. The Tamchui thus dropped into disuse more and more and at last disappeared. In the congregational constitutions and by-laws of the 15th, 16th, 17th and 18th centuries, it is no longer mentioned.

The administration of the public funds formed an integral part of the general administration of the affairs of the community and was as a rule intimately connected with the management of the congregation [22] around which latter all communal affairs revolved. The directors or supervisors of the charity endeavors—the Overseers of the Poor, *Gabbaim* (גבאים literally, collectors or treasurers)—were almost invariably also members of the Boards of the synagogue, to whom they were responsible and with the President of which, the *Parnas* (פרנס Sustainer), they co-operated. This arrangement persisted until the need for separate associations to provide for special types of wards developed, which happened wherever the community population grew large and the problems confronting it became complex. For special reasons which will be described later, this differentiation did not take place among the Jews, with rare exceptions, until the 15th century, some

[21] *Op. cit.*, p. 311.
[22] Schürer: Gesch. d. jüd. Volkes II, p. 441.

time after the corresponding development took place among their Christian neighbors. With the approach to modern conditions, the charity administration is gradually detached from the congregation and finally becomes altogether dissociated from ecclesiastical control.

The calibre of the charity Overseers, whose number in Talmudic times varied from time to time, with three as the standard—two of them acting as gatherers of the fund and all three as apportioners and distributors [23]—was of the very highest. The work of relief was regarded as of paramount importance and was never delegated to second-rate officials, nor were the Overseers of a type that required remuneration. The Jewish population in any given city being limited and concentrated in certain streets or in a certain locality, the duties falling to the officers could be adequately discharged without paid help, while at the same time, the highest intelligence and greatest authority could be brought to bear both on the assembling and the disposition of the income. There is no evidence to show that the needy ever suffered from any neglect at the hands of the Overseers, but on the contrary, we have abundant testimony to prove that the most scrupulous care was exercised in handling every case with tender and painstaking consideration. The Overseers, like the

[23] This was the standardized number for the Kuppah; in the case of the Tamchui, three collected and three distributed. Bab. Bat. 8b, followed by all the codes.

Presidents of congregations, were chosen by election [24] or by general consensus of opinion (later on by prescribed methods of election) from amongst the most representative men of the community, men who usually combined wealth with learning and achievement, and a strict sense of justice.[25] Until the time when written constitutions for communities became general—17th century—the administrators served for indefinite periods, that is to say, as long as there was mutual satisfaction between the community and themselves; but they could be deposed for malfeasance in office.[26] From the 15th century on, perhaps even from the 14th, in the highly organized communities governed by carefully planned regulations, the term for which the Overseers of charity were elected was limited to a year or two.

No check was kept on the integrity or motives of the Overseers, and unless they proved themselves unworthy, they were left entirely to their own honor. But they were expected to keep themselves above suspicion,[27] going in twos when receiving moneys, sitting as a committee of three when making distributions, and otherwise avoiding all semblance of favoritism, particularly towards poor relatives.

[24] At a great synod, attended by 150 French and German rabbis towards the end of the 12th century, a regulation was passed requiring that presidents and provosts be elected in an open manner by the majority of the members of the congregation. Graetz: *History of the Jews,* III, p. 377 (Eng. Ed.).

[25] Tur 256.

[26] Shul. Ar. 257:6.

[27] Baba Batra 8b.

While it was not the custom to require audit of the Overseers [28] until the eighteenth century, they were expected as early as the 14th century to present a financial statement voluntarily.[29] The Administrators were expected to, and did, restore from their own pockets inadvertently lost moneys belonging to the charity fund.[30]

The beneficent activities of the Overseers were undefined in scope, but they embraced all manner of relief, from supplying the elementary necessities of food and clothing and shelter to the rearing of orphans, and the providing of marriage portions for poor brides.[31] They included personal visitation of the sick, and the furnishing of free medical treatment as well as the rendering of comforts to the dying and the bereaved and the presentation of a burial plot and burial expenses free. They further embraced the education of poor children with special thought to training them for a useful occupation. In the way of preventive measures, loans were extended and people were set up in business. The records show a rich and steady flow of private relief

[28] Shul. Ar. 257:2.

[29] Tur 257. Israel Abrahams does not trace the habit of rendering a voluntary financial statement back far enough—he names the 16th cent. *Op. cit.*, p. 315.

[30] *Cf.* Abodah Zarah 17b. R. Chanina b. Teradyon erroneously diverted money belonging to the general charity fund into the Purim fund and made it good from his own pocket. *Cf.* also Menachem Recanati, Piske Halakot, Sec. 60, 61, 69.

[31] *Cf.* Taanit 24a, where the experience of the charity overseers in making a collection for the marriage portion of an orphan boy and an orphan girl is recounted.

in these same directions, particularly in the matter of tender solicitude for orphans and widows and in the field of prevention, but, above all, in alleviating the suffering and sorrow incident to sickness and bereavement. But the Overseers were there to extend the organized aid of the community, amplifying personal ministrations and assuring intelligent continuity.

Such was the high character of the Overseers and so did the committee method [32] of transacting its work of collecting and distribution make for fairness and respect, that it was not felt necessary to set bounds to the amounts they might allot any given cases until towards the end of our period,[33] nor otherwise to put limitations upon their discretion. But there were well-established principles relating to the standards of donation and apportionment as well as to degrees of urgency, which had the effect of giving the right direction to the efforts of the Overseers, and what is more, Jewish law required the complete stoppage of charity through the Overseers whenever these proved unworthy, and the substitution of direct giving in its place until such time as the administration became acceptable to the community.[34]

[32] No levy on the community could be made by less than 2 persons, but if the collection had already been made, it was allowed to stand. Tur 256.

[33] That is, until the era of written constitutions.

[34] "One should not give to the public charity fund unless he knows that the one in charge of it is trustworthy, wise and understands

The great satisfactions, religious and ethical, which the Overseers derived from their tasks were somewhat tempered by the occasional mutterings and ingratitude of certain carping and captious beneficiaries. Generally speaking, the needy were to be taken at their word on the subject of their own wants, and their allotment fixed accordingly, as we shall see; and there seems to be no doubt of the contented and grateful reaction of the vast majority of those who received help. Nevertheless, there were not wanting unreasonable dependents, who, taking advantage of the inalienable right to assistance assured by Jewish law and practice to all, made matters hard for the distributors of the public bounty. But the Overseers schooled themselves to patience and serenity, under these provocations, making allowance for the faults of their protégés in consideration of the hard lot of the latter and never losing sight of the essential merit of their efforts in relieving misery. Indeed, they came to look upon the serene endurance of such criticism as an added merit. As an illustration of their disregard of criticism, as long as they were doing their work according to their best lights, we may cite the case of R. Liezer, chronicled in the Jerusalem Tal-

how to administer it in a straightforward way." Tur 249. Also: "But if the Administrators are not wise and fit men, they are set aside and may not collect charity at all; and if it is impossible to set them aside, one is prohibited from giving charity through them, for thus said the Sages, 'One should not give a farthing to the public fund unless a man of wisdom has charge of it.'" Tur 256.

mud. Upon returning home one day, this high-minded man, then acting in the dual capacity of President of the community and charity Overseer, asked what had happened during his absence. He was told that a group of people had been there, had feasted, and prayed for him. He said, "This will not procure me a good reward." Some time later, again after an absence, he made a similar inquiry. He was informed that another company of poor had visited the house, eating and drinking and ending by abusing him. Whereupon he said, "In this case I will have a good reward." Similarly, R. Akiba, advised by his family not to accept the position of Parnas (president-administrator) to save himself from abuse, declared he would accept for the very reason that it would expose him to abuse.[35] Summing up the spirit pervading the theory and practice of the authorities that preceded him, Joseph Caro formulates this dictum: "Charity administrators should not mind being insulted by the poor; for their merit will be so much the greater." [36]

The question may here be pertinently raised whether the universal recognition of the right of the poor to assistance of which the poor themselves were fully aware did not make for a certain amount of unreasonable captiousness and of inappreciation on the part of the latter. Very likely it did, although we know that even where such right is not conceded,

[35] Jerush. Peah 8:6.
[36] Shul. Ar. 257:7.

ingratitude often exists. But if a choice has to be made between announcing a great principle of justice subject to a modicum of collateral abuse in its operation, on the one hand, and the adoption of an indefensible principle for social amelioration with a reduction of incidental abuses, on the other, can there be any question as to which should be preferred? Broadly considered, the Jewish idea and its actual pragmatic results in this direction were the fundamentally correct ones. Better the eternal bedrocks of equality and self-respect for all, with pauperization for a few, than inequality and humiliation for whole classes and a smaller percentage of incidental abuses. At all events, such, we think, would be the choice of a modern sociologist.

Once having set up as the administrators of the public relief fund men who measured up to the high qualifications of that office—"trustworthy, wise, and full of understanding, who would give detailed attention to the case of each poor person according to his needs" [37]—the procedure for the relief of dependents took the following general lines. The Commissioners of Charity met and on the basis of their knowledge of the situation, estimated roughly the total needed. The residents of the community were then assessed according to their reputed means, orphans [38] being exempted as a class, while women

[37] Tur 256.

[38] Orphans were, however, permitted to donate something for the sake of enjoying a good name. Bab. Bat. 8a; Tur 248; Shulchan Aruk 248:3.

and servants were given the option of contributing a small sum or nothing.[39] Two of the Commissioners—no less—then made the rounds of the community once a week or at less frequent periods and collected the sums designated and such voluntary additions as people chose to make. Where the Tamchui or Daily Distribution existed, a collection was made every day. There were no amounts specified for this fund—a cash and kind fund, presumably for outside poor—and so still greater counsel was needed for handling it; hence both its collection and its distribution had to be supervised by no less than three.[40] Where there was no Tamchui, the Kuppah was called upon for urgent cases of want. If the regular collections did not suffice, special emergency collections were made.

The individual needs of those requiring aid were then taken up for consideration. The redemption of captives, a sad but common necessity in those troublous days when piracy and banditry were frequent occurrences and the Jews were the favorite playthings of abductors, respectable as well as disreputable, had by law and custom the first claim on the public relief fund. Women had priority over men and, with the characteristic love and reverence for learning which was ingrained in the nature of the Jew, the relief of scholars preceded the relief of the

[39] Tur 248.

[40] Bab. Bat. 8b; Mat. An. 9:2; Tur 256; Shulchan Aruk 256:13.

untutored.[41] The stilling of hunger came before the satisfaction of any other want, next in order being the relief of those needing clothes. Then came the relief of extra-physical wants—the supplying of the wherewithal for poor brides and grooms to get married and establish a household, the furnishing of necessary equipment and capital for business purposes, and so forth. Gentiles were helped from the public benevolent fund with a view to friendly relations.[42] The rule was "to give to everyone who stretched out his hand," *i.e.*, everyone in need.[43]

In the case of personal relief, people were admonished to seek out those in want, lest suffering result in consequence of pride. The more preoccupied public dispensers of aid could not often permit themselves this ideal method of detecting poverty, although all possible devices for sparing the poor embarrassment were employed, such, for instance, as the drawing of billets for meal tickets by the Administrator and not by the poor themselves, ordained for the community of Treviso, Italy, in the 15th century, by Rabbi Juda Minz, in order to spare the feelings of the transient poor, notwithstanding the knowledge that this procedure encouraged begging.[44]

[41] Horayot 13a. ממזר תלמד חכם קודם לכוהן; Shul. Ar. 251:9.

[42] Tur 251; Shul. Ar. 251; both based on Gittin 61a. For a fuller discussion of aid to non-Jews, see chapter "Miscellaneous Topics," under the heading, "Jewish Aid to Non-Jews," p. 107.

[43] כל הפושט ידיו ליטול נותנין לו Tur 251.

[44] Responsa of Rabbi Juda Minz, Sec. 7, cited also by I. Abrahams, *op. cit.*, p. 308.

As a rule, the wants of the poor had to be made known to the Overseers.

In the case of an application for food, investigation was dispensed with, in fact, forbidden, but in the case of a request for clothing or anything else that called for less urgency, an investigation had to be made, except in the event that the applicant was known to the Overseers to be worthy and honorable, when a request for clothing was also granted without investigation.[45] It appears, however, that the purpose of the investigation in any case was to establish the reliability of the applicant rather than the precise nature and amount of his needs. There happens to be little information recorded in the matter of "follow-up" work, but the fact that most of the resident poor received regular subsidies coupled with the ever-urged principle to make the dependent self-supporting, points to the use of enlightened and wide-awake measures of treatment, with rehabilitation as the constant goal in view.

With respect to the nature and quantity of relief extended, or the quotas apportioned the various dependents, which subject constitutes a major theme in all the literature on Jewish charity, it is to be noted that the Biblical injunction to give to each person in want precisely what he needs (די מחסרו אשר יחסר לו Deut. 15:8) was accepted and adopted as the general standard of action. Jacob ben Asher,

[45] Baba Batra 9a; Tur 251; Shul. Ar. 251:10; Matteh Mosheh, Ch. 4.

drawing his inspiration from older sources, frames the rule of action thus: "If he is hungry and needs food, he must be fed; if naked and in need of apparel, he must be clothed; if he lacks household utensils, these must be secured for him; and even if he has been used to ride a horse and to have a servant wait upon him when he was well-to-do (having become impoverished), a horse and servant must be provided for him; and so on with every one, according to his needs.[46] This is a surprisingly high standard of relief, measuring up to, if not exceeding, the most generous standards prevailing among advanced social workers today. It must remain an open question whether this standard was always or even generally lived up to, or merely remained an ideal to be striven after. It is fairly certain, however, that this standard was well-nigh approximated through the combined efforts of public and private relief, the former, as a rule, encouraging the play of personal generosity but standing good for any deficiencies up to the point of adequacy as determined by the dependent's habitual standards of living. The charity officials made it their business to co-ordinate the efforts of privates, as far as they could ascertain them, with the measures adopted by themselves as heads of the organized endeavors of the locality or city, in the treatment of every case, with a view to avoiding duplication and at the same time bringing about adequacy of relief in accordance with the

[46] Tur 250.

principles enunciated above, *i.e.*, approximately to restore the family or individual in trouble to its accustomed social status.

The bitterness of eating the bread of charity even under the most favorable circumstances among a people naturally given to industry and devoted to ideals of self-dependence was thought to be sufficient spur to drive the recipients of charity to energetic efforts to earn their own living, and no fears were entertained lest the satisfaction of their wants beyond the supply of dire necessities would lead them to be contented with remaining beneficiaries of the bounty of others all their lives. If this natural prod was not strong enough by itself to keep the poor self-reliant, the external pressure brought to bear on them to make themselves self-supporting served as a powerful auxiliary. At all events, the welfare of the poor was the uppermost concern; other considerations had to take their chance. The Overseers accordingly guided themselves in making their allotments from the community treasury by what was being done for the given family or individual by privates. They first waited to see what private generosity would do. If enough to satisfy the minimum required by the case in question was forthcoming, *i.e.*, enough to answer the dependent's needs according to his old standard of living, they took no further steps in the premises; but if not, they made an appropriation sufficient to meet his actual needs and, if the state of the treasury permitted, amplified this

appropriation with enough to bring him up to the level of his former social status ("according to his dignity" לכבודו).

While the amounts allotted from the public treasury were thus flexible, varying with the particular need and the available resources, there are nevertheless well-defined minimal quotas for certain specific situations which are of interest to the student. The original norm laid down in the Mishnah,[47] and cited approvingly by Maimonides,[48] permitted anyone to accept charity for living expenses from privates as long as his unentailed capital (exclusive of his house, *i.e.*, his shelter and inexpensive eating utensils and bedding) consisted of less than 200 Zuz [49] (about 50 shekels, or $25) which were non-productive, or of 50 Zuz that were productive, *i.e.*, bringing in profit. Jacob ben Asher,[50] writing in the 14th century, while citing this measure as a desirable one, already calls attention to the newer public opinion which looked with favor upon more liberal minimal quotas in view of the increased expenditures—"the high cost of living," as we would say—and which encouraged a man to take charity until he had enough capital to support himself from the profit. He there-

[47] Peah 8:8-9.

[48] Mat. An. 9:13.

[49] Isaac Luria explains fancifully why 200 was set as the standard —because the Hebrew word for charity (צדקה) is equal numerically to 199. Quoted in Meïl Zedakah, Sec. 83. Of course, it is to be borne in mind that this sum had much greater comparative value—perhaps five or ten times as much—in those days.

[50] Tur 253.

fore concludes by laying down the rule that the definition of sufficiency all depends on the place and the time, *i.e.*, on the standards of living prevailing and the special circumstances existing. Joseph Caro, in the 16th century, takes the same position as Jacob ben Asher—more explicitly, in fact—saying "There are some who hold that these standards refer only to those (Talmudic) days, but that in these times, a man may take charity until he has enough capital to support himself and his household from the profit; and this appears reasonable." [51] Be it noted that although these standards apply in the first instance only to private charity, they also hold good in the field of public charity whenever private help is not to be had. While preceding authorities do not make this point clear, the Shulchan Aruk explicitly so directs. It is the duty of the community in its organized capacity to provide for the poor to the point of sufficiency if and when relief from privates falls short. The individual must call the attention of the constituted authorities to the poor person's case and contribute his share. If there are no other Jewish

[51] Shul. Ar. 253:2. *Cf.* also the following opinion quoted by Menachem Recanati, Piske Halakot, Sec. 59: "Rabbenu Jehudah ben Rabbenu Kallonymos, father of Rabbi Eliezer of Worms, asked Rabbenu Ephraim, 'If one has 200 Zuz, has he a right to take charity or no? Does it resemble the gleanings, the forgotten sheaves and the corners of the field (in which case one that has 200 Zuz cannot take any)?' He replied, 'It all depends on his income and the income of his family and his habit of living. But if he is a single man he should not take any, since one that has food for two meals is not allowed to take from the Tamchui.'" (This refers only to charity from public funds.)

inhabitants, the entire obligation rests on the individual, if his means allow; if not, to the extent that his mean allow.[52]

Special wants—household utensils, burial expenses, and so forth—are likewise provided for, the initiative falling on private charity and the final guarantee resting on public bounty. No definite standards are set forth but generous assistance to meet the needs in question are ordained. There are, however, two needs for which allotments are specifically fixed and which deserve special mention because they reveal the high value set by Jewish people in all ages on married life as the indispensable medium of happiness and service. It is provided that all brides in straitened circumstances are entitled to a bounty of 50 Zuz from the public relief fund and, when the state of the treasury permits, to as much more as is becoming to their social station.[53] We shall see how zealously this injunction was carried out from the fact that special societies for providing poor brides with money for a trousseau and a "nest-egg" were instituted and became common in the latter part of our period. The other allotment stipulated is that for a male orphan who wishes to get married. It is ordained in the Talmud, on the basis of the Biblical passage ("to give one the measure of his need"—Deut. 15:8) that the administrators of the public funds present him with a homestead,

[52] Shulchan Aruk 250:1.
[53] Tur 250; Shul. Ar. 250:2; Matteh Mosheh, Ch. 5.

bedding and utensils, and secure a wife for him.[54] The duty to give orphans a fair start in the struggle for existence led later on to the formation of special societies for this purpose. Orphan girls were provided for like other poor brides and enjoyed other marks of consideration besides.[55]

[54] Ket. 67a; Mat. An. 7:4; Matteh Mosheh, Ch. 5.

[55] Mat. An. 8:16. They were to receive 60 dinarii and if the state of the public treasury permitted, more, "according to their social station."

CHAPTER VIII

SELF-SUPPORT AND PAUPERIZATION

THE laudation of work and industry by the Jewish religion in all stages of its long history ruled out the choice of voluntarily assumed poverty as an ideal. "Sweet is the sleep of the laboring man," wrote Ecclesiastes (5:12). Sentiments of this kind abound in the book of Proverbs and in other parts of the Bible. Rabban Gamliel, the son of Rabbi Judah, taught, "All study of the Torah that is not accompanied by work must in the end be futile and become the cause of sin." [1] The Talmud repeats this admonition in different words again and again and lays it down as a duty for a father to teach his son some occupation. Poverty is classed as a misfortune, not a desirable, let alone an ideal status.

More than that, the generous individual is warned against indulging in such self-sacrifice for the sake of charity as to impoverish himself and come to want. "If a poor man comes," says Maimonides, "and asks for help 'sufficient for his need' (Deut. 15:7), and the giver cannot afford to give him all he asks, he should give whatever he can afford. And how

[1] Mishnah Abot 2:2.

much is that? Up to a fifth of his possessions—that is the desirable interpretation of the command; or a tenth, which represents the medial standard. Less than that betokens an evil eye (a mean spirit)." [2]

Accordingly, there never arose among Jews any class of persons who, like St. Francis of Assisi and his followers in the Christian Church, adopted a regimen of voluntary penury as a religious ideal and actual mode of existence. Judaism's strong disapproval of self-chosen destitution kept the number of dependents down to small proportions. Aside from bona fide dependents, only the indolent and the impostors sought assistance.

Of the latter two classes there were always considerable numbers. They took advantage of the accepted principle of the claim of the poor to relief as a right, not a favor, proclaimed in the Bible and in the post-Biblical authorities. Begging from house to house and from city to city was not uncommon and there sprang up a class of professional beggars, unlike the mendicants in the Christian world, who pressed the generous for gifts as a matter of justice due to them. They did not regard themselves as paupers nor act as such, but as self-respecting people

[2] Mat. An. 7:5. *Cf.* also Shul. Ar. 249:1, where Caro adds: "Now this fifth referred to here means the fifth of his capital during the first year; thereafter a fifth of his annual profits." These rulings were based on the Talmud. They were promulgated at the Synod of Usha, in Galilee, c. 140 A.D. Ket. 50a and 67b. In a legacy, one can give away as much as he wants, according to Moses Isserles. Note to Shul. Ar., *loc. cit.*

entitled to the bounty of their benefactors. In later years they became known as "Schnorrers." They survived until recent times. Israel Zangwill describes their habits, with the curious phases of comical impertinence that characterized their demands, in his charming book, *The King of Schnorrers*.[3]

While begging did not constitute any grave problem among the Jews and did not ever assume the serious proportions it reached in Christian communities, such, for instance, as it attained in England;[4] while at times it impressed outsiders as virtually nonexistent,[5] it was nevertheless a standing occurrence. The problem was handled by enlightened regulation. The beggars were always treated in a kindly manner. They were never publicly degraded as was, for instance, done in England by the Poor Law which at one period required the letter "P" to be branded on their bodies.[6] They were always allowed something save when exceptional local economic distress prevailed.[7] They were always accorded at least

[3] For a fuller characterization, see *Jewish Encyclopedia,* s.v. "Schnorrer."

[4] *Cf.* Sir George Nicholls: *A History of the English Poor Law.* 3 vols., London, 1898-99, and P. J. Aschrott: *English Poor Law System,* London, 1888.

[5] Julian the Apostate declared the Jews had no beggars. *Cf.* Kohler, "Zum Kapitel," etc., in Berliner's *Festschrift,* Berlin, 1903, p. 202.

[6] *Cf.* Nicholls, *op. cit.* See below, Chap. 12, Note 4.

[7] In Posen, in 1672, because of hard times in the community nonresident poor were prohibited from begging and denied free transportation. A. Heppner and J. Herzberg: *Aus Vergangenheit und Gegenwart der Juden und der jüd. Gemeinden in den Posener Landen* (Koschmin-Bromberg, 1909), p. 79.

food for the day and lodging, but only small money gifts were recommended to private donors.[8] In most communities certificates had to be obtained by transients to permit them to ask for assistance. Three instances of widely separated communities may be cited. The statutes of the Avignon community in 1558 fixed one sou and two meals as the allowance for non-resident poor not bearing certificates, and three sous or more, up to six, for those bearing certificates.[9] The Council of Four Lands (Poland-Lithuania), at a Synod in 1623, adopted the following regulations: In order to guard against imposition, itinerant beggars must not be provided with more traveling fare than is required to get from one place to the next. They are not permitted to stay more than twenty-four hours in any one place. They must not be allowed to preach in public unless provided with a letter of authorization from the head of the district rabbinical court (Bet Din). The people of the environs of Brest-Litovsk (Brisk) must require a letter from the head of the Bet Din of Grodno, etc. A list of large cities is here given and their dependent towns and neighborhoods are specifically named, showing a carefully worked out zoning system for the regulation of itinerant begging. No injustice should be done to those transient poor who are actually seeking out relatives to help

[8] Maimonides, Mat. An. 7:7.

[9] R. deMaulde: "Les Juifs dans les Etats français du Pape au Moyen Age," *Révue des Etudes Juives*, Vol. 9, 1884, p. 120.

them. But people are otherwise admonished not to allow themselves to yield to sentimental pity.[10] And, finally, we have the testimony of Lancelot Addison (father of Joseph Addison), concerning the Jews of Barbary, based on personal observation and recorded in a book written in 1675. "They also have their Kibbuz or Letters of Collection, by which the Indigent has liberty to go from Synagogue to Synagogue, to receive the Benevolence of their countrymen." . . . These must be shown to the chief Master of the Synagogue. If he approves, he appoints a day, and a collection is usually made at the door of the Synagogue. "By these letters also the necessitous Father raiseth Portions for his Daughters." [11]

[10] Samuel P. Rabbinowitz, Extracts from Regulations of Council of Four Lands, Regulation No. 87. In Hebrew periodical *Keneset Israel*, Vol. II (1887), p. 30f.

[11] *The Present State of the Jews*, London (1675), 3d. Ed., 1682, Ch. XXV, pp. 212-214.

CHAPTER IX

MISCELLANEOUS TOPICS

We shall discuss briefly in this chapter several unconnected topics which we found it inconvenient to treat elsewhere.

The Tithe

The tithe in Biblical times was a compulsory tax of one tenth of the produce of the soil and (in one case) also of the increase of cattle. There were two ecclesiastical tithes and one tithe for the poor (Maaser Ani). This latter came every third year. It is probable that a portion of the Second Tithe (Maaser Sheni), was also devoted to the poor.

With the fall of the Temple the ecclesiastical tithes were automatically discontinued. The Christian Church and state took over the institution of the Tithe. In England and elsewhere it became a source of abuse.

The tithe for the poor appears to have lingered on in Palestine after the fall of the state. Rabbi Judah Ha-Nasi, the compiler of the Mishnah (c. 200 A.D.), in a typically hyperbolical oriental declaration,

held that one who eats fruit of which the tithe for the poor has not been appropriated, is deserving of death. (Pesikta d'Rab Kahana XI, 99 a, b; Jer. Kid. 2 :9, Krotoshin edition.)

The agricultural tithe for the poor led to the custom of tithing earnings from other sources. Most authorities held this to be obligatory, but some considered it optional.[1] According to Israel Abrahams, who has made the most thorough study of Jewish life in the Middle Ages,[2] the tithe, in practice, remained a voluntary undertaking and no congregation seems to have attempted to enforce its payment. Left to voluntary action, it must have been fairly common. As a personal and family institution, it was in vogue in Germany and Spain in the 14th century. Abrahams cites several interesting instances of its observance. Eleazar the Levite of Mayence (d. 1357), in his Ethical Will to his children charges them to "give in charity an exact tithe of their property." The most striking case is the practice instituted in his family by the famous Rabbi Asher ben Yechiel, father of Jacob ben Asher, author of the "Four Rows." His example in voluntarily giving a tithe to the poor influenced his congregation in Germany to do likewise. Settling later in Toledo, he and his sons continued the practice. In 1346, they undertook to perpetuate the custom as a permanent fam-

[1] *Jewish Encyclopedia,* s.v. "Tithe."

[2] *Op. cit.,* pp. 319-321. We borrow freely here from Israel Abrahams' excellent description of the documents referred to in this section.

ily obligation. They entered into a formal agreement, as follows:

"We, the undersigned, accept an ordinance which we have in the handwriting of our father R. Asher, and which he worded thus: Hear, my son, the instruction of thy father, and do not forget the law of thy mother. Seeing that in the land whence we are come hither to Spain, our fathers and our fathers' fathers were wont to set aside for charitable purposes a tithe of all their business profits, in accordance with our sages' prescription, we hereby undertake to follow in their footsteps, and have received upon ourselves the obligation to devote to the poor one-tenth of our profits earned in business, derived from the loan of capital or from commercial undertakings. Three-fourths of this tithe we will hand over to a kuppah (or general fund), which shall be administered by two treasurers. This duty we undertake for ourselves and our children."

It is expressly stated further on in this agreement that this tithe is to include property and income from every source. The signatures of the next generation were later appended. The practice had become a tradition in the family.[3]

Defectives

Defectives, particularly the blind, were treated like other dependents, with consideration and sympathy. The deaf and the simple-minded are usually classed with minors as to legal status and general treatment. There was considerable understanding of

[3] The Ethical Will of R. Jehudah ben Asher and his brother Jacob. Ed. by S. Schechter, Pressburg, 1885.

the influence of heredity. The insane were looked upon as normal persons suffering from temporary aberrations.

No special provisions were made for them.[4]

Delinquents

Criminals and immoral persons called forth little sympathy. As a rule they were treated sternly. There are signs of a softening attitude in the 18th century. A ruling as to which city was obligated to take care of an unmarried mother reveals an absence of harshness.[5] One authority allowed people to extend kindnesses to excommunicated persons.

Jewish Aid to Non-Jews

The Talmud laid down the following rule (Gittin 61a) concerning the treatment of poor non-Jews: "Poor Gentiles should be supported along with poor Jews; the Gentile sick should be visited along with the Jewish sick; and their dead should be buried along with the Jewish dead, in order to further peaceful relations (*mipne darke shalom.*)" This rule is cited by the codes and became the standard for all subsequent rabbinical legislation.

The point has been frequently raised as to what

[4] Joel Blau: "The Defective in Jewish Law and Literature," in *Jewish Eugenics and Other Essays,* Bloch Pub. Co., New York, 1915.

[5] Ishmael Ha-Kohen of Modena, Responsa (שו"ת זרע אמת) Part II, Sec. 111.

precisely is meant by the Hebrew phrase "mipne darke shalom" (which we have translated "in order to further peaceful relations"). It has been interpreted by unfriendly critics to mean "with a view to avoiding the enmity of the non-Jewish population." Even if the intended meaning of this precept, that is, even if the motive animating Jewish aid to non-Jews were based on considerations of expediency, the standard on the Jewish side would have been much higher than the reciprocal treatment of Jews at the hands of Gentiles warranted. Except possibly now and then during an epidemic,[6] the Christian world during the Middle Ages excluded Jews from their area of neighborly help and good will. Their sick were not admitted to Christian hospitals,[7] and their poor gave their non-Jewish neighbors no concern.

But Jacob Z. Lauterbach, in his exhaustive study on "The Attitude of the Jew towards the Non-Jew," [8] effectually shatters this grosser interpretation of the signification of the phrase in question and the purport of the Talmudic precept. He demon-

[6] During an epidemic which invaded the ghetto in Rome in the year 1556, two Cardinals established a lazaret in the ghetto and stationed a Christian physician there, the Jewish physicians having been brought low by disease. This work of mercy is one of the very few pleasant inter-religious episodes of that era. A. Berliner: *Geschichte der Juden in Rom,* Frankfort a. Main, 1893, Vol. 2, pp. 58-59.

[7] See below, "Hospitals and Free Medical Care," p. 155.

[8] In Year Book, Central Conference of Amer. Rabbis, XXXI (1921), pp. 201-204.

strates conclusively that the phrase "mipne darke shalom," as used in various places in the Talmud, "is a positive ideal and a definite tendency to promote good will among men." He cites examples of its use in connection with laws and regulations exclusively pertaining to relations between Jew and Jew, where it certainly cannot have the sinister meaning read into it by some. He cites many other services of kindness towards Gentiles enjoined by the Talmud on Jews, and quotes the broad application of these injunctions by Maimonides and others.

If any evidence be needed to add to that which is offered by Prof. Lauterbach on this point, we may point first of all to the many general admonitions bespeaking love and good will to all men, such as the precept of the famous Rabbi Hillel (c. 30 B.C.), included in the popular collection of sayings "The Ethics of the Fathers": "Be of the disciples of Aaron, loving peace and pursuing peace, *loving thy fellow creatures,* and drawing them near to the law." [9] And among the precepts of later sages, the following charge—not open to any other interpretation—of Hayim Vital, a Jewish saint of the 16th century, embodies the high ground that Judaism at its best advised its votaries to take in relation to their non-Jewish neighbors: "Let man love all creatures, including Gentiles, and let him envy none." Schechter, commenting on this passage, remarks

[9] Mishnah Abot 1:12.

that he knows of no Christian saint of the same period who made the love of the Jew a condition of saintliness.[10]

But it is not necessary to rely on precepts alone. We have abundant evidence that the charity aid which Jews were enjoined to extend to non-Jews was given in even fuller measure than commanded. The leading Jewish physicians, including Maimonides, the Ibn Tibbons and Saul Astruc Cohen, treated the Gentile poor without charge and with the same solicitude as the Jewish poor. Writing of conditions in Italy in the 16th and 17th centuries, Vogelstein and Rieger [11] record that it was considered specially noble and pious to aid non-Jewish poor in the locality of one's residence place. In view of their experiences at the hands of the general population, the high ground taken by Jews in this direction is truly remarkable.

[10] Samuel S. Cohon: "Love, Human and Divine, in Post-Biblical Literature." Year Book, Central Conference of Amer. Rabbis, XXVII (1917), p. 291.

[11] *Geschichte der Juden in Rom*, 2 Vols., Berlin, 1896, Vol. 2, p. 315.

CHAPTER X

THE RISE OF SOCIETIES AND INSTITUTIONS

Long before the conditions were ripe for the establishment of specialized agencies to function for particular wants, the need for them was felt. The general relief funds did not always prove large enough nor sufficiently flexible to meet certain imperative special needs, like those of orphans, of wayfarers, of indigent brides, of those suffering from sudden bereavement and the like; nor could the administration of the general funds always give the minute attention to these special groups of dependents which they deserved.

The problem was met at first and for a long time by special collections for designated purposes. The codes go into elaborate details over the question of the segregation of such funds and the extent to which they may be used for purposes not originally designated. A further step in the solution of this problem was taken with the apportionment of the general charity fund towards specific uses and the delegation of the specialized work to a particular administrator or set of administrators. The interests of widows and orphans were thus in many places entrusted into

the hands of the court (Bet-Din) and special privileges in buying and selling were often accorded them.[1] Other classes of dependents received separate and distinct attention in like manner. For instance, in Lithuania in the early part of the 17th century, it was the duty of the three main courts to gather funds for dowries for poor girls and to supervise their distribution.[2] This arrangement represents an intermediate step in the process of differentiation. The service is distinct and specialized, but the contributors are not. The next step in the evolution of social service in the direction of ministrations to special classes is the founding of special societies and institutions to handle the particular needs of these classes. The societies and institutions have their own officers, and their membership is not identical with the membership of the community.

At this juncture it is again necessary to make clear that the evolution in the problems and machinery of Jewish charity did not follow a uniform order in the various localities nor did it take place simultaneously in the different communities. Some places given to unprogressive ideas contented themselves with the one miscellaneous public fund for

[1] *Cf.* Aaron Halevi of Barcelona: Sefer Ha-Chinnuk, Sec. 65. Based on Maimonides: Mishneh Torah, Hilkot Deot 6:10.

[2] Brisk (Brest-Litovsk) was entitled to 12 dowries, Grodno, to 10, and Pinsk, to 8. *Cf.* Regulations (תקנות) of the Council of the Four Lands for 1623 by Samuel Pinchas Rabinowitz in periodical Keneset Israel (כנסת ישראל), Vol. II (1887), p. 33; also reproduced in Hebrew appendix to periodical Evreiskaya, Starina, Vol. I (1899), p. 55.

all purposes, ultimately making the transition to specialized organizations rather precipitately, under the pressure of some new necessity, without passing through the intermediate stages described above. In certain centers, societies or institutions, to serve particular ends, originated at a date much earlier than that which witnessed the general rise and spread of such organizations, there being exceptional causes —advanced ease and culture and a large settled population—that superinduced their comparatively early formation in these places. The processes of evolution we are tracing in the history of Jewish philanthropic thought and endeavor hold true to the same extent as the rules of development in the general fields of industry and religion and political life—to that extent and no more. A combination of needs and resources of a certain kind gave birth, as a rule, to new instruments to function for the task in hand, but this consummation was not necessarily contemporaneous nor precisely uniform everywhere. The conditions of Jewish political and social life differed so materially with time and locality that no definite law of development following a chronological order can be postulated. Nevertheless, the differentiation did follow roughly the same broad lines and it is entirely proper to make generalizations on the basis of resemblances.

We now come to a consideration of the causes that were responsible for the rise of separate organizations to care for special wants, *i.e.*, for cases other

than plain relief. The data at our disposal are not complete. We have to piece together the scattered fragments of evidence and to supply the deficiencies from our general knowledge of the situation.

The shattering of the unified body of Jewry into a multitude of broken fragments, begun as a voluntary matter by way of emigration soon after Alexander the Great's days and precipitated on a vast scale under the pressure of ruthless compulsion after the overthrow of the Jewish state by Rome, and further intensified by the successive measures of unrelenting persecutions and restrictions extending over the entire long period of their political disability, *i.e.*, up to the era of emancipation, profoundly affected the emergence, development and continuity of new instruments of social service. Eking out a precarious existence in most places, driven to a panicky state of mind by incessant assaults, cast out of their moorings by edicts and mobs before they had a fair chance to anchor themselves, as often as they thought they discovered a haven of refuge, the Jews found it wasted energy and foolish purpose to set up institutions, the original outlay for which called for a heavy investment and the maintenance of which required steady and uninterrupted support. The same circumstances that kept the Jewish communities forever disturbed and impoverished also kept them small in point of population. These settlements, with but few exceptions, were accordingly not confronted with the problems arising out of the

concentration of large numbers of dependents requiring particular treatment and did not labor under the necessity of setting up special institutions.[3]

It is this interference with their normal life and growth that accounts for the comparatively tardy founding of specialized charity institutions among the Jews during the period we are surveying. Indeed, it is a tribute to their inexhaustible benevolence of spirit and their insuppressible optimism that they established any institutions at all before the 17th century, when the age-long cloud of oppression first began to lift in western and central Europe. Where they did organize such agencies before the 17th century, they almost always took advantage of a breathing-spell between persecutions, hoping that they would be let alone thereafter, a hope not always realized.

Benjamin of Tudela, a Jewish merchant-traveler of the 12th century, who wrote a narrative of his travels in Asia, Europe and Egypt, where he visited the chief centers of Jewish population, does not mention seeing any Jewish charitable institutions at all, although he does note the existence of Christian hospices at Jerusalem and Moslem hospitals and an insane asylum at Bagdad. His journal is somewhat fragmentary in its observations and the copy extant may even be an abridgment of the original

[3] Charitable institutions seldom arise before population is concentrated. The first hospital in the United States—the Pennsylvania Hospital—was founded in Philadelphia in 1750. *New International Encyclopedia,* s.v. "Hospital."

work.[4] Yet this testimony of silence is significant. We may assume with a fair amount of certainty that, with the exception of shelters and almshouses and perhaps also of hospitals, there were no specialized charitable institutions among Jews in the 12th century. The records thus far available of communal activities and properties in the 13th and 14th centuries, such as the description of the Jewish quarters of Madrid and Valence in Spain of the year 1391 (including a chart of the city of Valence), make no allusions as a rule to any institutions other than synagogue, school and cemetery.[5]

Some of the records do make reference to the three types of institution already noted as exceptions, the first mention we have found being of an almshouse in Regensburg, Germany, in 1210, and many others occurring in the 14th century and later. Other types of institutions, like orphan asylums, free schools for the indigent, and so forth, do not appear to have arisen until the latter part of the 17th century.

[4] Itinerary of Benjamin of Tudela. Translated into English and edited by A. Asher, 2 vols., London and Berlin 1840. The narrative covers a period of about 14 years, from 1159 or 1160 to 1173.

[5] Isidore Loeb: "Le Sac des Juiveries de Valence et de Madrid en 1391," *Révue des Etudes Juives*, Vol. 13 (July, 1886), p. 239; and his "Notes sur l'Histoire des Juifs en Espagne," in the same periodical, Vol. 14, p. 257.

A. EARLIER INSTITUTIONS

SHELTERS

Of the few institutions that originated in very early times, either antedating the medieval period or arising during the first half of that epoch, the Shelter or Inn for wayfarers has the oldest pedigree and the most continuous record. We have seen that the synagogue of Theodotos, reconstructed from an older foundation at about 10 B.C., had such a Shelter connected with it. Shelters of this kind appear to have been provided in all the early synagogues either within the edifice or in a separate building on the grounds. The Talmud mentions a synagogue where poor strangers ate and slept.[6] In the course of time the Shelter developed as a separate institution. It is referred to frequently in the Talmud where it is called Pundok or Pandok (פונדק, Greek *πανδοκεῖον*) or Achsanya (אכסניא, Greek *ξένος*, guest). The Greek name suggests a possible Greek origin. The Hellenes are indeed known to have given much thought to the matter of hospitality and to have developed Shelters or resting-places for that purpose several centuries before the Christian era. But "nomen atque omen" may be a misleading guide in this instance, as it is in the case

[6] Pesachim 101a. "Indeed, up till the ninth or tenth centuries, Asiatic synagogues were homes for travellers, who lodged in the synagogues and took their meals there." I. Abrahams, *op. cit.*, p. 34.

of the Jewish supreme legislative and judicial body, the Sanhedrin, likewise Greek in its etymology, which, as far as we know, was not at all constituted after any Hellenic model. Nor does the fact that the Greeks possessed such inns in the very early centuries preclude the possibility of the Jews' having developed corresponding institutions at approximately the same time and independent of foreign influence. Certain it is that Jewish tradition, recorded in the Talmud and the Midrash, places the founding of these institutions far back in remote times, as far back as Abraham. The terebinth tree or grove (אשל) which Abraham planted in Beersheba (Gen. 21:33) is interpreted by Rabbi Simeon b. Lakish and his contemporary R. Jehudah (II) ben Gamaliel (c. 250 A.D.) as meaning a garden for wayfarers, and by R. Nehemiah (c. 150 A.D.) as meaning an inn (פונדק) for them.[7] St. Jerome was acquainted with this rabbinical tradition, as is evident from his praising the Roman lady Fabiola, when she founded a house for the sick in Rome and a shelter for strangers in Ostia, for "planting the shoot of the terebinth of Abraham on the Ausonian coast." [8]

The claims of tradition with respect to things and persons chronologically remote must, however, as a rule be discounted when unsupported by historical evidence and in the present instance reveal an ideal-

[7] Sota 10a; Yalkut Shimeoni to Ps. 37, cited in Meïl Zedakah § 326. For further Tal. references, *cf.* Levy, *Tal. Dict.*, s.v. פונדק.

[8] K. Kohler: "Zum Kapitel der jüdischen Wohlthätigkeitspflege," in *Festschrift zum 70 Geburtstage A. Berliner's*, p. 201.

ization of Abraham's virtue of hospitality rather than a historical fact. Besides, the Inn so accredited to him, if it existed at all, was a privately supported establishment, not a community institution. We are justified in saying that in the time of the Talmudic scholars who trace the Pandok or Achsanya back to Abraham, there were such institutions among Jews, *i.e.*, about 150 A.D. and that their origin goes back further. Very likely, the widespread oriental practice of hospitality to an extent hardly realizable to occidentals, a practice in which the Jews shared in a preëminent way and which, as we shall presently see, carried on an uninterrupted tradition down to our own days in Russia and other lands where oriental ideas still linger, looked with disfavor upon the transference of strangers from the domestic hearth to the colder environment of an institution.[9] Nevertheless, with the best intentions to provide for itinerants in private homes exclusively, situations arose in the large centers of population which necessitated the establishment of community shelters such as are so often alluded to in the Talmud.[10]

[9] See article "Hospitality" in *Jewish Encyclopedia.* "Let thy house be open wide; let the poor be members of thy household" is the precept expounded by Jose ben Jochanan, one of the most revered sages, a contemporary of the Maccabees (150 B.C.), which received universal promulgation through its inclusion in the Pirke Abot 1:5.

[10] Probably the first departure from home hospitality was the putting to use of the premises of the synagogues for lodging purposes, a practice not uncommon in Eastern European lands today. Only a few people could have been accommodated in the synagogues and obviously only men.

There is little heard of the communal inns after Talmudic days until after the Crusades when the need for them became urgent in consequence of the many Jews rendered homeless by the misdirected zeal of the knights, the priests and their followers. Public hostelries then arose in many cities, particularly in Germany, Italy and Spain. From this time under the newer Hebrew name of Hekdesh (הקדש) and the Latin designations "hospitale," "hospitalium" and "hospes," they served both as shelters for strangers and as almshouses and at times even as hospitals for the sick. In some places the community entertainment hall (Tanzhaus) was used for that purpose. In several places the community paid private families of moderate means a fee for quartering strangers in their homes.

Side by side with the public provisions instituted, went a generous extension of shelter in private homes free of charge, with a great deal of tender sympathy added. In many communities the transients were distributed among the residents by a system of meal and lodging tickets (Billetten), particularly for the Sabbath, the head of each family, even the poorest, taking one wayfarer or more with him from the synagogue services on Friday evening, a custom that has survived in Russia and Poland up to the present time. In Paris the "Jews' Inn" (Auberge Juive) supported by communal funds, continued until deep

in the eighteenth century.[11] Haknasat Orchim (Reception of Wayfarers) Societies were found in virtually all Jewish communities until the movement for amalgamation of agencies in recent times set in, when they lost their identity in many places, being merged with the other charitable societies into one comprehensive organization.

ALMSHOUSES

The Shelters were no doubt also used for the reception and maintenance of indigent people and superannuated persons who had no relatives to look after them, and so served also in the subsidiary capacity of almshouses. The two uses seem in time to have been differentiated, and separate institutions were established in the more populous communities. Nevertheless, the line was not sharply drawn and the two classes of inmates often occupied the same building. It is difficult to determine from the records whether the Hekdesh,[12] so often referred to in both the Hebrew and Latin documents of the Middle Ages, is in any given instance a shelter or an alms-

[11] Abrahams, *op. cit.*, pp. 74-75, 311, 314. Joseph Jacobs, s.v. "Inn," *Jewish Encyclopedia,* enumerates a few inns. A "domus sive hospitium judaicum" is referred to in the archives of the city of Coblenz, Germany, of the year 1356. K. Baas, who cites this reference in his article, "Jüdische Hospitäler in Mittelalter (*Monatschrift für Geschichte und Wissenschaft des Judenthums,* 1913, pp. 452-460) understands this to mean a hospital, but the use of "hospitium" instead of "hospitale" seems to indicate a hostelry.

[12] It is not clear how the name Hekdesh originated. The word in its earlier rabbinical use means property consecrated for holy purposes. Perhaps it is an abbreviation for הקדש עניים.

house or both. As indicated above, it frequently appears to combine both functions. As the need for a home for the indigent was in general more constant than that for transients, the most common uses of the Hekdesh probably were those of almshouses and infirmary. It will be seen that it also did duty as a hospital. There are earlier records of the Hekdesh than the one extant in Munich in 1381, characterized by Berliner [13] as the first to receive mention in documents of the time. In an intensive study of the institutions called Hekdesh, "hospitalis," "hospitium," etc., Dr. K. Baas quotes a deed of the year 1210 in which an agreement is made concerning a house described as "domus hospitalis Judeorum." [14] There was a Hekdesh used as a home for resident and transient poor and as an infirmary (or hospital) in Cologne which Brisch, without, however, offering sufficient evidence, declares to have been established in the 11th century. This institution was founded by a rich family. The passage recording its establishment reads: "Master Eliakim and his mother Mistress Bela, Master Mordecai and his wife, Mistress Hannah, who built the Hekdesh at Cologne." [15] This is no doubt the same Hekdesh

[13] *Aus der Leben der deutschen Juden in Mittelalter* (Berlin, 1900), p. 120.

[14] "Jüdische Spitaler in Mittelalter." *Monatschrift für Geschichte und Wissenschaft des Judenthums*, 1911, p. 746.

[15] מר אליקים ואמו מרת בילא מר מרדכי ואשתו מרת חנה שבנו ההקדיש בקולוניא

Carl Brisch: *Geschichte der Juden in Cöln und Umgebung*, Mulheim am Rhein, 1879, p. 20.

referred to as the "hospitale Judeorum" in a record of sale dated 1247.[16]

A decision by the distinguished Rabbi Solomon ben Adret (b. 1235, Barcelona; d. 1310) involving the disposition of a legacy proves that there was a public Hekdesh in Tortosa, Spain, at that time.[17] At the end of the 13th century or the beginning of the 14th there was an almshouse or hospital at Narbonne which, with its three outhouses, was valued at 100 livres.[18] An interesting entry is found in the martyrological chronicles of the community of Nürnberg, dated 1278-1299, containing a reference to a Hekdesh in that city. The following is a translation: "And these are to be commemorated here at Nürnberg. May God remember the soul of R. Samuel, the son of the martyr, R. Nathan Halevi, with the souls of Abraham, Isaac and Jacob, because he left 200 litres for the cemetery, 50 for the Hekdesh, together with a prayer shawl and death robe, and 50 litres for the education of children." [19]

Almshouses were found practically everywhere from this period on. Prof. Baas, in the study quoted (see note 11) enumerates many in German cities in the 14th century, including institutions in Coblenz

[16] Robert Hoeniger: *Das Judenschreinbuch der Laurenzpfarre zu Köln*, Berlin, 1888. Document No. 36.

[17] Responsa, 656 להקדש של טורטישא.

[18] Jean Régné: "Etude sur la Condition des Juifs de Narbonne," *Révue des Etudes Juives*, Vol. 46 (1903), p. 84.

[19] Ad. Neubauer: "Le Memorbuch de Mayence," *Révue des Etudes Juives*, Vol. 3 (1882), pp. 7-8.

(1356), Vienna (1381), Munich (1381). There were others in evistence at Lauingen (1347), Worms (15th century),[20] in the larger communities of Castille (1432),[21] in Marseilles (1492), where there were two,[22] in Avignon (1558),[23] and elsewhere. The almshouse continued as the most common local institution until modern times.

HOSPITALS AND FREE MEDICAL CARE

Hospitals in the sense of institutions for the care and treatment of the sick, *i.e.*, as distinguished from infirmaries and almshouses, make their appearance among the Jews later than among the Christians, who have them as early as the 4th century, and among the Mohammedans who possess them in great numbers in the time of Haroun-Al-Raschid in the late 8th century, both of the latter having been preceded in the establishment of them by the Greeks, and Romans and Buddhists, and still farther back by the Egyptians.[24] It may be that the deeply rooted domestic attachments and the universally practised and

[20] Dr. L. Löwenstein: "Zur Gesch. der Juden in Friedberg," in *Blaetter für jüd. Gesch. und Litteratur*, Vol. III (Feb., 1902), pp. 69, 120.

[21] Isidor Loeb: "Règlement de Juifs de Castille en 1432," *Révue des Etudes Juives*, Vol. 13, pp. 37, 40.

[22] Ad. Cremieux: "Les Juifs de Marseille au Moyen Age," *Révue des Etudes Juives*, Vol. 46, p. 32.

[23] R. de Maulde: "Les Juifs dans les Etats français du Pape au Moyen Age," *Révue des Etudes Juives*, Vol. 7, p. 237.

[24] *Cf.* Sir Henry Burdett in *Encyclopedia Britannica*, s.v. "Charity and Charities."

sacredly conceived duty of hospitality, characteristic not of Jews alone, but of the Orient as a whole, militated against the placing of relatives or strangers in any place other than a home in Talmudic days, although one would have expected the same inhibition to have operated in the case of the Arabs. A more potent reason probably was the smallness and the precarious nature of Jewish settlements, already dwelt on above. "The history of the world shows," says Sir Henry Burdett,[25] "that whereas a few of the larger towns in most countries contained hospitals of sorts up to and including the Middle Ages, it was not until the commencement of the 18th century that inhabitants of important but relatively small towns of from 50,000 to 100,000 inhabitants began to provide themselves with a hospital for the care of the sick." After the disruption of the large Jewish community of Alexandria, Egypt, in the second century, A.D., there were no Jewish communities numbering as many as 50,000 souls anywhere in the world,[26] until the modern period, and there could have been very few regions covering a circumference of say a hundred miles with a population of that size. So, although hospitals were known to the Jews—a Jewish king, Uzziah, suffering from lep-

[25] *Ibid.*

[26] Hamadan and Samarkand are said to have had a population of 50,000 each in the latter part of the 12th cent. (Graetz: *History of the Jews,* Eng. Ed., Vol. III, Ch. XIII, p. 434f.) but these estimates appear exaggerations. The Babylonian centers and their vicinities in the 12th cent. and Toledo, Spain, in the 13th, alone seem to have approximated 50,000.

rosy, had segregated himself in what amounted to a private hospital in the 9th century, B.C.[27]—they did without them for a long period when these were already extant elsewhere, contenting themselves with substitutions, such as making use of the communal hostelries or almshouses in cases of emergency, or paying physicians out of communal funds for the free treatment of the sick poor in their own homes.[28]

Studies of these latter means of providing medical care for the sick outside of hospitals are not yet far enough advanced to supply us with data for the earlier part of the period covered by our inquiry, but we are in possession of indisputable evidence showing that some communities engaged physicians at stated remuneration to render medical treatment to the poor free, in the later centuries of our period. The Frankfurt community is an instance in point. It had a Jewish physician in 1394 charged with the duty of treating the poor free.[29] Ferrara is another instance. That community established a stipend in 1629 and gave it to Guiseppe Kamis, the physician-rabbi, on the condition that he should render medical service to the poor without charge.[30] Another instance is that of the Cracow community, which, from 1624 to 1655 paid David Calahorra, the Jewish

[27] II K. 15:5 and II Chr. 26:21.
[28] *Cf.* Abrahams, *op. cit.*, p. 329.
[29] Baas, *Monatschrift*, 1913, p. 456.
[30] Isaac Ascoli: *Cenni Storici sull' origine e sugli avvenimenti Risguardanti La Università Israelitica Ferrarese* (Ferrara, 1857), p. 22.

pharmacist of the Ghetto, an annual sum varying between 90 and 150 florins for furnishing medicine free to the poor, upon the order of the charity administrator, and after his death engaged in a similar agreement with his son Mataṭia.[31] In 1673 the Posen community engaged Dr. Jacob Winkler as community physician, exempting him from a portion of his taxes in return for his services. His duties included free medical services to the poor and the supplying of inexpensive medicines to the destitute.[32]

When research makes further headway, it will be found that such provision was likewise made in the earlier part of our period, that is, whenever the physicians themselves did not or could not volunteer free services. It was no unusual thing for Jewish physicians, who abounded throughout the Middle Ages and who were in such demand among the highest personages that even the prohibitions of Church authorities did not in most cases stop Christians from seeking treatment from them, to give their services gratis to their poor co-religionists (and for that matter to non-Jews likewise) when they could afford it. The cases of Moses Maimonides in the 12th century in Cairo, Egypt, of his contemporary Judah Ibn Tibbon of Lünel, France, and of Saul Astruc Cohen of Algiers in the 14th century—all three eminent physi-

[31] M. Balaban: "Jewish Physicians in Cracow and the Tragedies of the Ghetto—15th to 17th centuries" (In Russian), *Evereiskayd Starina*, Vol. 4 (1912), pp. 38-53.

[32] A. Heppner and J. Herzberg, *op. cit.*, p. 162.

cians and scholars—cited by Israel Abrahams [33] are good examples. Maimonides conducted a free clinic for the poor in his own home in connection with his regular practice and well-nigh collapsed from sheer exhaustion late at night after his hard day's work, as he tells Ibn Tibbon in a letter describing how overworked he is.[34]

We see a curious merging of paid and free will services in the case of Samuel Ha-Kohen, physician of the ghetto in Cracow in the first part of the 17th century. He gave his services free; the community in appreciation put 50 florins at his disposal annually, from 1630 on, to distribute among the poor. He died in 1646.[35]

In the section on Almshouses we pointed out that the Hekdesh also served as a hospital. The Hebrew word, which may cover either meaning, and the Latin equivalents which may likewise signify either, leave it in doubt as to which is meant in most instances. Baas, after carefully examining all the evidence, comes to the conclusion that the "Hospital" mentioned in the Latin references signifies essentially a "hospice," *i.e.*, a shelter or inn as distinguished from "Infirmarium" (infirmary); that this and the Hekdesh are identical; that they were primarily designed for out-of-town guests having no local rela-

[33] *Op. cit.*, p. 330 f.
[34] *Ibid.*, pp. 235-6.
[35] M. Balaban, *loc. cit.*

tives; that there were sometimes sick among these strangers who were given medical treatment; and that in certain places, centers of trade, as in Frankfurt and Nürnberg, the large number of sick strangers present led to a separation of the original institution into two distinct structures, the name Hekdesh being retained for the Shelter and the designation Hospital being adopted for the sick house. This development, Baas says, took place at the end of the Middle Ages, Frankfurt having been the first to establish a separate hospital. There, in 1394, the community physician, Solomon Pletsch, had to attend sick Jews in the hospital. This must have been a Jewish hospital, as the reception of Jews in Christian hospitals then is inconceivable. There is, in any case, a clear reference to a hospital as distinct from a Shelter in Frankfurt in 1473.[36] There was one at Marseilles mentioned in a protocol of a notary in 1426, but which was no doubt older in origin.[37] A hospital was projected at Ferrara during an epidemic in 1630.[38] In the seventeenth and eighteenth centuries hospitals sprang up in all the populous centers.

OTHER INSTITUTIONS

Other institutions for specialized services do not appear to have arisen before the 17th century. The oldest orphan asylum is one for boys in Amsterdam,

[36] Baas, *loc. cit.*
[37] Ad. Cremieux., *loc. cit.*
[38] Isaac Ascoli, *op. cit.*, p. 22.

founded in 1648.[39] A school for orphan boys ("Spanish and Portuguese Jews' Orphan School") was established in London in 1703, and one for poor girls, The Villareal Charity School, in 1730.[40]

B. EARLIER SOCIETIES

BURIAL SOCIETIES

The formation of voluntary societies preceded the establishment of institutions in nearly every phase of specialized service. The societies could cope with the situation without the outlay of large sums for property and maintenance. These societies with one exception, or at most two, did not originate before the end of the 16th century. The one exception was the Burial Society. The Hebrew name is usually Chebrah Kaddishah (Holy League). Its origin goes far back, very likely to Talmudic times.[41] The distinguished scholar Asher ben Yechiel (b. Germany 1250, d. Toledo, 1328), in a responsum, discusses the question of a son succeeding his deceased father as a member of such a society. In this connection he defines the objects of these societies thus: To be with the mourner the night of the death; to accompany the funeral cortège; to participate in the burial; to furnish consolation meals to the mourners;

[39] *Jewish Encyclopedia*, s.v. "Amsterdam."
[40] E. H. Lindo: *A Jewish Calendar for Sixty-four years*, London, 1838, p. 101.
[41] I. Abrahams, *op. cit.*, p. 333.

and to pray with them.[42] The Vienna Chebrah Kaddishah can be traced back to 1320, the Wilna society to 1486 and the Prague association to 1564.[43] These societies added sick benefits later.

We have come across an instance of one other type of society that antedated by more than two centuries the voluntary associations of the 16th and subsequent centuries. It is that of a trade guild mutual benefit association, the fraternity (confradia) of Jewish shoemakers, in Saragossa, Spain. This society was called into being by a statute, confirmed May 6, 1336, by King Pedro III. As Jews were excluded from the trade guilds of the general population, it is an interesting question whether they had guilds of their own in many places or whether such guilds were the exception. There could not have been enough workmen of the same craft in many places to warrant the organization of a guild. The rules governing the Saragossa fraternity required of each member: (1) To attend wedding and circumcision celebrations in families of members, failure to do so entailing a fine of one dinero; (2) To visit sick fellow-members every Sabbath, on pain of a fine of one dinero. Officers of the fraternity must visit sick members twice a week, on Mondays and Thursdays and, if aid is needed, give the patient two dineros a day from the treasury of the frater-

[42] Responsa, Caption 13, Sec. 12, 13.

[43] Heinrich Haase: "Die Wohlfartspflege bei den Juden," in M. Grunwald, *Die Hygiene der Juden,* Dresden, 1911, Appendix, p. xii.

nity; (3) In case of death, members must escort the body to the grave and join in prayers at the home of the deceased during the days of mourning. Fine, two and one dineros.[44]

There were guilds of butchers, tailors, shoemakers and musicians in Prague at this time or soon after. Special sections of the cemetery were reserved for the several guilds.[45]

C. LATER SOCIETIES

By the 16th century societies were springing up in most of the larger communities, and in the 17th century there was a veritable crop of them everywhere, the populous communities having each many associations to care for every kind of need then felt. The 17th century may indeed be called the age of the Jewish voluntary charitable organization. Rome was especially rich in these societies. They are described in detail in the exhaustive studies of that community made by Vogelstein and Rieger,[46] by A. Berliner [47] and Israel Abrahams.[48] "The more than twenty societies there offer an exalted picture of the communal conscience and of practical philanthropy," comment the first mentioned pair of au-

[44] M. Kayserling, in *Allgemeine Zeitung des Judenthums*, Vol. 56, p. 438. *Cf.* also *Jewish Encyclopedia*, s.v. "Saragossa."
[45] *Jewish Encyclopedia*, s.v. "Prague."
[46] *Geschichte der Juden in Rom*, Vol. 2, pp. 314-317.
[47] *Geschichte der Juden in Rom*, Vol. 2, pp. 33-63.
[48] *Op. cit.*, pp. 326-329.

thors.[49] The societies of Rome included associations for the relief of the poor, for the care of the aged, for the provision of clothing, shoes and bedding, for the aid of widows and other poor women, for the provision of trousseaus and dowries for poor brides, for visiting the sick and comforting mourners, for the education and maintenance of orphans, for the extension of free loans, and for the collecting of alms for the Holy Land.

In Leghorn a society for providing dowries for poor brides for the relief of impoverished members was founded by prominent Spanish Jewish families in 1644; another for clothing the poor, in 1654; and a third, "Beneficenza Israelitica," for the relief of communal poor and the ransoming of prisoners, in 1683. The community of London, then barely twenty years old, established two voluntary societies, representing offshoots of the new Portuguese congregation—a society for the education and clothing of boys in 1664, and another for rendering relief to the sick, in 1665. At least twelve other organizations designed to answer various charitable needs were created in London during the following century.[50]

Amsterdam, Venice, Mantua, Rotterdam, Frankfort a. Main, and other centers established societies during the 17th or 18th centuries to take care of

[49] P. 317.

[50] *Jewish Encyclopedia*, s.v. "Leghorn;" E. H. Lindo: *A Jewish Calendar for Sixty-four Years*, London, 1838, p. 101.

particular classes. The Jews of Spanish and Portuguese extraction, being the wealthiest, led in these movements. Those of Germanic origin followed quickly in their wake. Societies for the dowering of poor brides appear to have made the chief appeal to the founders. The constitutions and regulations of all these organizations disclose a fairly comprehensive understanding of the problems grappled with, and the employment of systematic measures of treatment.[51]

DOWRIES

It will be observed that several of these societies specialized in services that might be called characteristically Jewish. Those devoted to the provision of dowries and trousseaus belong to that class. The

[51] *Cf.* the published statutes of these societies, as follows: Aschamoth da Companhia de Dotar Donzellos Pobres (Amsterdam Community), Amsterdam, 1726 (This is a revision of the statutes of 1658; this society was organized in 1615); Statutes of the Chebrah Kaddishah Society of the German Congregation of Amsterdam, 1776; Rules of the Great Holy Society for Dowering Brides (Amsterdam German Community), Amsterdam, 1794; Regulations of the Society of the Congregation of Levantines in Venice to Provide Dowries for Maidens (in Hebrew, 1653; in Italian, 1689); Regulations of the Society of Mazzal Bethula (Dowries for Maidens) of Mantua (in Hebrew and Italian), 1678; Mantua Society to provide children of poor with means for circumcision (in Hebrew), 1743 (founded 1716); Statutes of the Holy Society for the Study of the Law, of Rotterdam, 1787. (This society provided education and supplied clothing free to children of members. Reference is made to two older societies); Statutes of the Society Rodefe Zedakah (Pursuers of Charity), of Frankfort a. Main, 1786 (in Hebrew. Mutual benefit and charitable). The statutes of the Amsterdam and Rotterdam communities here listed are in Hebrew and Yiddish-Deutsch.

high esteem placed by Jewish teachings on marriage and domestic life led to the extension of financial aid to poor people desiring to get married, from Talmudic days on.

REDEMPTION OF CAPTIVES

Societies for the redemption of captives likewise have a special Jewish character. As already explained, the capture of Jews by pirates, or their forcible imprisonment by the official authorities for the purpose of extorting a ransom for their release, was a matter of constant occurrence. Their redemption became a tragic standing necessity. Jewish law and Jewish fraternal feeling gave the ransoming of captives the first claim on any charity fund. Jacob Mann cites several letters written in the 11th and 12th centuries by the Jewish congregations in Alexandria to sister congregations in Northern Egypt and one to a congregation in Byzantium requesting financial assistance in completing funds for the redemption of captives taken by Moslem pirates from Greek ships. The demands made on Egyptian Jews of those days to redeem brother Jews so captured were frequent and onerous. They answered these calls generously and feelingly, often struggling under the heavy burden, and seeking outside assistance only when their own means failed. There was a fixed ransom price per captive. It was 33-1/3 dinars, about £16 in gold, equivalent in the currency of our day to nearly £50. It was no uncommon ex-

perience for the Alexandrian and neighboring communities to be saddled with the burden of redeeming groups of prisoners in close succession. Women and children were now and then among the captives. They were sometimes cruelly treated by the pirates. The prominent men of the Jewish congregations rendered distinguished service in this work of mercy by means of generous contributions and personal aid. Maimonides was one of the many who thus served their co-religionists. As a rule, the Moslem pirates adhered to the fixed ransom rates. Only rarely did they accept smaller amounts. Occasionally they demanded larger sums.[52]

Pirates and abductors likewise troubled European regions. They took frequent advantages of the tender solicitude of the Jews for their brethren and exacted enormous sums for the release of the prisoners. In order to check this practice, the eminent Rabbi, Meir of Rothenberg, whom Count Meinhard had incarcerated for the purpose of mulcting the Jewish communities of Germany, refused to have himself redeemed and remained in prison. He died there after eight years of confinement, in 1293.[53] The abuse did not abate, however, and the need of funds for ransoming prisoners continued throughout the Middle Ages. To mention but one other instance, this one on a larger scale: In 1492 one hun-

[52] *The Jews in Egpyt and in Palestine under the Fatimid Caliphs*, 2 vols., Oxford University Press, 1920-1922, Vol. 1, pp. 87-95, 204-205, 232, 244.

[53] *Jewish Encyclopedia*, s.v. "Meir of Rothenberg."

dred and eighteen Jews, driven out of Aragon by the edict of Ferdinand and Isabella, were brought by a bandit captain of a galley to Marseilles and kept prisoner in the harbor. The Jews of Marseilles, then in straitened circumstances, borrowed 1500 écus from Charles Forbin, a Christian of Marseilles, which the refugees undertook to repay within four months. The Jews of Marseilles and Aix stood surety for them with their property and their lives and fed and sheltered them in addition, during the four months.[54]

COLLECTIONS FOR THE HOLY LAND

Associations for the collection of funds for the poor in the Holy Land developed as a natural sequence of the uninterrupted support from privates and communities beginning before the fall of the Jewish state. This Palestinian fund, called later on the Chalukkah (Division), appealed to the sentiment of all the pious in the Diaspora and reached considerable proportions. While many old people and scholars who came to spend their last years at Jerusalem were legitimate subjects for pensions, there were others who took advantage of the prevailing sentiment and allowed themselves to become pauperized. However, the comparative smallness of the Jewish population in the Holy Land in medieval

[54] Isidor Loeb: "Un Convoi d'Exilés d'Espagne à Marseille en 1492," *Révue des Etudes Juives,* Vol. 9, p. 66 f.

times prevented this subsidy from becoming a burden on the supporters.[55]

The growth in the number and influence of the voluntary benevolent organizations in the 16th, 17th and 18th centuries gradually removed the charities from the control of the official communal authorities and so stimulated the decline of rabbinical guidance, leading ultimately to complete detachment from ecclesiastical direction, the condition which characterizes modern Jewish philanthropy.

[55] *Jewish Encyclopedia,* s.v. "Halukkah."

CHAPTER XI

CHANGING CONDITIONS AND THEIR EFFECTS

We shall now attempt to trace the tendencies which made themselves manifest in the 17th and 18th centuries and which resulted in the reorganization of communal philanthropic activities along modern principles and methods.

Side by side with the rise and spread of voluntary societies engaged in ministering to particular classes, described in the preceding chapter, the congregations continued functioning as dispensers of aid, notably in the field of general relief. In cities where there was but one Jewish congregation, this arrangement probably worked out more or less satisfactorily. But in places where there were several congregations and particularly in centers where there were mixed Jewish populations representing different nationalities and dissimilar stocks (Spanish-Portuguese, German, etc.), considerable chaos necessarily resulted. The need was therefore felt urgently to combine the charitable endeavors of the separate congregations. This need, in fact, led to an amalgamation of the congregations, either of those composed of the same social elements or of two or more congregations of diverse

stock. Thus, in Hamburg, in 1652, the three Portuguese congregations consolidated. One of the chief objects stated in the minutes of that amalgamation was to achieve better management of relief.[1] In Ferrara, nearly a century earlier, the Italian and German congregations had united for similar reasons.[2] In the majority of the communities, however, separatism continued, at least as between the congregations of diverse stocks. So it was in London where the Spanish congregation, organized in 1701, administered relief to its own impoverished members and other Spanish co-religionists, and in The Hague, where the German community took care of the wants of its adherents and their kindred. The constitution and minutes of the former [3] and the statutes of the latter [4] indicate that careful attention was given to individual cases. This London congregation continued to dispense general relief alongside of the several voluntary organizations that sprang up among its membership for the care of special wants.

[1] "Aus dem ältesten Protokollbuch der portugiesisch-jüdischen Gemeinde in Hamburg." Translated from the Spanish by J. C. *Jahrbuch der jüd. lit. Gesellschaft*, Vol. VI, p. 7.

[2] Regolamento (Constitution) of that community, 1573. See Isaac Ascoli, *op. cit.*, p. 14.

[3] Ascamot para o Governo da Congrega da Saar-Ashamaim de Londres 5545 (1765), sections 36-37; Moses Gaster: History of the Ancient Synagogue of the Spanish and Portuguese Jews (1701-1901), section "Offerings and Collections in the Synagogue," pp. 54-60. In the first year £252 were spent on foreign poor and £230 for local poor; in the second year £311 and £185, respectively, and in the third year, £225 and £312.

[4] Statutes and By-Laws, published in Amsterdam, 1800.

These latter included an orphans' home, free loan activities, a hospital and a burial society.[5]

It is evident that the use of the congregation as the chief instrument of the benevolence of any given city had its limitations and weaknesses whenever and wherever the community became populous and complex. The benevolent activities could at best constitute one aspect of its program while they demanded sustained and undivided attention from officers who could bring abundant time and strength to the task. Even where voluntary societies doing specialized work had arisen alongside of the congregation, the miscellaneous relief itself was too exacting to be handled well by the busy officers of the congregation, nor could these latter as a rule be qualified to deal adequately with the work. Furthermore, the congregations and the voluntary societies of the time were constituted largely on the mutual benefit plan and the charitable aid extended by them was designed primarily to reach impoverished fellow-members, a fact which must have operated admirably in favor of prevention of poverty, but which must have drawn attention somewhat away from those poor who could not afford membership. Where the community consisted of elements of diverse stock and grouped off in separate congregations corresponding to these national and social differences, there were, in addition, the problems of duplication and divided responsi-

[5] E. H. Lindo: *A Jewish Calendar for Sixty-four Years*, pp. 101-102.

bility or neglect. These circumstances called for changes in philanthropic organization and procedure.

On the other hand, there were forces at work, both within Jewish communal life and from the outside, which tended to bring the Jews into close relations with the general population under the influences of the modern spirit and of modern methods of procedure. The adoption of the languages of the countries where they were residents, to which impetus was given by Moses Mendelssohn's translation of the Bible for the use of Jews, into German, preceded their achieving citizenship. The ghettos were being discontinued; at least, residence therein was not strictly enforced. The industrial revolution originating in England and spreading to other countries relaxed the dead hand of the past from thought and action, and affected the Jews together with the rest of the population.

But the most epochal event leading to the ultimate disintegration of the old Jewish social order, and carrying with it in time the complete rehabilitation of Jewish charitable organization and processes, was their political and economic emancipation. The year 1791, when they were accorded complete equality in France, constitutes a new point of departure in Jewish life, marking the end of the long centuries of political disability, and ushering in the era of their free commingling with their Christian fellows. As a matter of fact, their liberation was not simultaneous everywhere. Even legally they had been given equal-

ity in at least one country before that (America, 1776), whereas their emancipation was delayed in the other European lands until long after their liberation in France. Moreover, in the more tolerant countries they enjoyed opportunities unofficially, which substantially approximated equality, while in certain unenlightened states, actual economic and social equality lagged far behind legal removal of restrictions. The example of France, however, carried tremendous weight, and may therefore serve as the determining point of departure.

The newer conceptions which spread quickly among the Jews and the closer contacts which they sustained with the peoples in whose midst they dwelt, following rapidly in the wake of their political and economic emancipation, acted as a solvent upon the structure of custom and opinion that had been slowly built up during the many centuries of the rabbinical era, and which had remained intact as long as a program of isolation was forced upon them from the outside. The scope and character of their charity, along with their other norms, now gradually underwent modification. The growing permanence of the Jewish communities—an indirect consequence of the new equality of citizenship and opportunity—reduced the number of transient poor and focused attention on the problems of home dependents. Hand in hand with the feeling of permanence and security came the growth of the Jewish population in the large centers, in numbers and in prosperity.

These circumstances made for the rapid spread of new societies to care both for the special needs of local dependents and for the wants of the transients.

Even under the pre-emancipation status, the more progressive of the larger communities were not satisfied with the nature and workings of their machinery of charity. Now, under the newer conditions, the inadequacy of the old methods became still more patent. More comprehensive measures for the handling of all the charitable wants in each community were needed. Coördination and coöperation between various efforts—individual and organized—were an urgent necessity. New activities had to be started to grapple with newly risen problems. It was not enough to relieve poverty; it was imperative to initiate measures of prevention. It was a time of keen responsiveness to fresh ideas and fresh methods of approach. All that was needed in the Jewish centers which had been most affected by the new political and social changes and which were now released from the age-old political and economic restraints imposed from without—all that was needed to set in motion movements of philanthropic reconstruction on a large scale, was an occasion, an event, that would arouse the consciousness of the people to the importance of the problem.

The Jewish communities of London and Paris at the beginning of the 19th century offer excellent illustrations alike of the unsatisfactory state of the Jewish charities of the time and of the transformation

which these underwent under the influences of the newer life.

At the beginning of the 19th century, there was widespread poverty among the Jews in London, particularly among the predominant Germanic element. They suffered with the rest of the population from the prevailing unemployment, but, in addition, also because there were few skilled artisans among them and because there were in their number so many recent immigrants. Patrick Colquhoun, a Metropolitan Police Magistrate, who was deeply interested in ameliorating the condition of the masses, called attention to the unfortunate state of the Jewish poor in his discussion of the general population in two pamphlets which he published in 1797 and 1799, respectively. Joshua Van Oven, a Jewish physician and communal worker, thereupon set to work to remedy conditions. In a pamphlet addressed to Colquhoun, entitled "Letters on the Present State of the Jewish Poor in the Metropolis," etc., published in 1802, Van Oven pictures the situation as it then obtained in the large German Jewish community, to which poor strangers, besides local poor, then attached themselves. There was no coöperation between the three synagogues in alleviating distress. The manner of dispensing charity was "vague." No attempt was made to help the poor become self-supporting. Van Oven accordingly advocated the establishment of "a House of industry which should take in the helpless, poor and children, and have an

attached hospital for the sick . . . and which at the same time should comprehend assisting the out-poor with occasional relief."

In a pamphlet written the same year by L. Alexander in answer to Van Oven's pamphlet we are told that the Boards of Management of the Synagogues had no proper conception of what constituted adequate relief and were not free from harshness towards the poor.

Van Oven's labors led to the establishment of the Jews' Hospital in Mile End (which grew subsequently into the Jews' Hospital and Orphan Asylum) and started a general reformation in the Jewish philanthropic activities in London.[6] The movement progressed rather slowly. Lack of coöperation between congregations and indiscriminate, uninvestigated giving continued as glaring faults, until in 1859, the year following the political emancipation of the Jews in England—and one of the fruits of that event—the Jewish Board of Guardians was formed. This organization established the London Jewish charities on a sound modern footing. Among the first measures the Board took was the institution of industrial and loan departments.[7]

In Paris the Jewish community at the time of the

[6] Rev. A. Cohen: "Metropolitan Jewry at the Beginning of the Nineteenth Century"—*London Jewish Chronicle* (Supplement), Dec. 30, 1921.

[7] Laurie Magnus: *The Jewish Board of Guardians and the Men Who Made It*, pp. 9-57. The Jewish Board of Guardians, London, 1909.

French Revolution was in a state of chaos resembling that of London at the same period. With some notable exceptions, the community, numbering 2700 in 1806, was a poor one. There were seven Chebrot or Mutual Benefit Societies. Those who could not afford to pay dues, and strangers, did not receive help from these societies. The first attempt to coordinate these societies and to regulate the Jewish charity dates from November 24, 1809. Under the impulse of the Consistory conferences were called, resulting in the founding of the "Comité consistorial de secours et d'encouragement." Note the connection here, as in England, between political emancipation and philanthropic advance.

The members of the "Comité de secours" were charged with duties which were by no means novel in Jewish charitable endeavor, namely, with caring for the sick poor, and with extending comfort and aid in time of death. In these respects its objects were virtually the same as those of the traditional Chebrah Kaddishah societies. But it represented a real advance, a new departure, in fact, in two directions, namely in that it was to act as the coördinating and authoritative agency for the entire community and to stand ready to handle all cases of poverty.

Besides its defined objects, the "Comité de secours" presented every year to the Consistory ten children, between thirteen and fifteen years old, to be apprenticed in arts and handicrafts. Prevention is thus seen to receive greater attention than it did

before. In 1828, the Committee attempted to grapple with the problem of mendicancy, but without success. In 1852 this Committee became the "Comité de bienfaisance" and proceeded to the creation of establishments where all kinds of suffering and feebleness could be assuaged.[8]

The communities of London and Paris have been cited as instructive examples of the changing character of Jewish charities in the large centers of population in the early years of the 19th century. Development in other large communities followed a course similar in general outlines, local conditions and events coloring and modifying the changes in each instance.

. . . . . .

We have surveyed the broad aspects of Jewish philantrophic thought and effort up to the point where initial steps were taken in the more advanced communities to reorganize the resources and facilities with a view to adapting them to the newer conditions and opportunities and demands which the Jewish people faced in modern times. It is not within the scope of this study to trace the rapid and varied development which has followed since then. The nineteenth century witnessed a remarkably rich expansion in resources, effort and machinery. It and the first quarter of the 20th century have been an

[8] Léon Kahn: *Le Comité de Bienfaisance*, pp. 5-27, A. Durlacher, Paris, 1886; Maxime du Camp: *Paris Bienfaisant*, pp. 291-301. Librairie Hachette et Cie, Paris, 1888.

era of superb creativeness in Jewish philanthropic endeavor and of high intelligence in its practical application. Jewish philanthropy has demonstrated a capacity for coping with all the grave problems that arose, including the care of the vast tide of immigration which came to America in consequence of political and economic disabilities suffered by Jews in backward countries of the Old World.

Communal philanthropic organization has advanced in the larger cities, particularly in America, to a stage where not only all relief agencies function under one centralized direction with trained social workers; but where all philanthropic organizations and activities of consequence are federated and work under one intelligent guidance. Considerable headway has been made in reducing the number of permanent dependents and increasing the proportion of the self-supporting. All types and varieties of relief, correctional, educational and recreational agencies, have been created and developed and the best ideas and standards introduced in their operation. Cooperation has been established between the various communities, particularly in the United States. The National Conference of Jewish Social Service, organized in 1899, was largely instrumental in promoting this coöperation. Through measures adopted by it, Jewish vagrancy has been reduced to negligible proportions. The problem of desertion has been attacked with success by the newly created National Desertion Bureau. Trade schools and other agen-

cies which prepare for industrial life have been instituted. Special attention has been devoted to the needs and care of immigrants. All of these agencies are conducted along the most modern scientific lines, while at the same time retaining the humane and sympathetic character of traditional Jewish aid in the treatment of their beneficiaries. In the United States alone there are over two thousand organizations, with an annual budget exceeding $10,000,000, the whole forming a complete structure offering every conceivable kind of assistance.

National institutions and organizations, including agencies for aiding immigrants and for the promotion of the physical and social welfare of young people, and a school for instruction in agricultural pursuits (The National Farm School), have been brought into being and are functioning well in their respective spheres.

In the chief European countries national organizations engaged in founding and maintaining trade and general schools among their Jewish co-religionists in backward countries, particularly in the Orient, were created during the last decades of the nineteenth century. Their work has been far-reaching. The Alliance Israélite Universelle of Paris, the Anglo-Jewish Association of London and the Hilfsverein der Deutschen Juden of Berlin have been the leaders in this important direction. The Jewish Colonization Association, founded and heavily endowed by Baron de Hirsch of France in 1891, possessing a

capital of £8,000,000, in 1896, with headquarters in Paris and offices in London and other large centers, has made it its special business to look after the welfare of the vast streams of emigrants who have left lands where they were persecuted or denied economic opportunities. It has encouraged and subsidized agricultural colonies in the United States and in the Argentine, provided funds and agencies for the distribution of immigrants into uncongested localities and established schools and welfare agencies for working people.

Emergency relief of an international character was organized at the time of the Russian pogroms in 1907 and attained vast proportions and a high degree of organization during the Great War and the post-war years. Over $50,000,000 were collected by the Jews of America alone during this period, and administered by a large staff of trained workers in relief measures and in the institution of the elements of self-support among the millions of stricken people. Non-Jews were included among the beneficiaries in many of the regions affected.

This brief sketch of the development of Jewish philanthropy during the contemporary period is outside the domain of our study. It is presented here, nevertheless, in order to round off the story of Jewish benevolence. The reader will find it comparatively easy to inform himself on the modern period through the many sources available.[9]

[9] See Bibliography under caption, "Modern Times."

CHAPTER XII

CONCLUSION

We have traced the broad outlines of the stream of Jewish philanthropy from ancient times to the beginnings of the period of emancipation. No attempt at completeness has been made or claimed. The expanse is too vast and the contacts too numerous to render the task an easy one.

It is now in place to make a few general observations based on the survey of the entire movement as it has proceeded through the ages.

At the outset it must be stated that philanthropy is not a uniquely Jewish manifestation. With Kohler,[1] we are far from claiming charity to be an exclusive Jewish virtue. The passion to help the poor and distressed is planted deep in the hearts of all men and its effectual expression in sentiment and action is found among all. But it may be said without exaggeration and without reflection on any other class of men, that this passion has worked with special warmth and glow among Jews and that they, as a group, have shown an extraordinary leaning for works of beneficence.

[1] "The Historical Development of Jewish Charity," *Hebrew Union College and Other Addresses*, Cincinnati, 1915, p. 230.

Jewish philanthropy, as seen in retrospect, embraced a much wider field of service than the giving of alms. In theory and in practice alike it transcended mere relief of the elementary physical wants. In the first place, it emphasized the charity of love as well as the charity of alms. In the Biblical period, under the influence of the prophets and kindred spirits, poverty was recognized and treated as an integral phase of the problem of social justice. During the Talmudic and later rabbinical epoch, the economic bearings of want and dependency, while not altogether lost sight of, receded from the Jewish consciousness, owing to the all-important circumstance of Jewish political disability and lack of ultimate self-determination. In the modern era, the relation of social righteousness to poverty has again found articulation.

While poverty has been looked upon in Jewish life as possessing disciplinary values and in no sense as a disgrace, it was virtually always classed as a misfortune. It was never idealized as a mode of life to be voluntarily chosen. With the possible exception of the Essenes [2] in ancient times, no class or groups of men and women arose, as in Christian, Moslem and Buddhist life, that adopted destitution as the divinely-desired way of existence. No sacred orders of cloistered or mendicant monks, opposed

[2] "The Essenes were despisers of riches, but they were not worshippers of poverty." Israel Abrahams: *Studies in Pharisaism and the Gospels,* Cambridge University Press, 1917, p. 8.

on principle to earning a livelihood, corresponding to the Franciscans or the Buddhist orders of monastic beggars, sprang up. The spirit of the Jewish religion worked against such excesses. It made for sanity of action. Pauperization, of which Lecky[3] complains as a grave blemish associated with ascetic life, in the otherwise distinguished history of Christian charity, never found a congenial soil in Jewish benevolence.

This very sanity of Judaism, however, prevented Jewish charity from engaging in one type of service in which Christian charity did useful work. There was little of that complete self-effacement, that eager and mystic self-abandon which expressed itself among Christians in loving ministrations to the outcasts of society.

On the other hand, Jewish charity was at no time in its long history blemished by harsh treatment of the poor and friendless. One may search in vain for severe handling even of impostors. Cruelties of branding or public degradation in the stocks or imprisonment, such as mar the administration of the English Poor Laws, so severely denounced by Nicholls,[4] are altogether unknown among Jews. Kindly and sympathetic treatment was the invariable rule and practice.

There is marked fixity and rigidity in the processes

[3] *History of European Morals*, New York and London, Appleton & Co., 1919, Vol. 2, p. 85 f.

[4] Sir George Nicholls: *A History of the English Poor Law*, 2 Vols. Putnam's, N. Y., 1898, Vol. 1, pp. 67, 97, 104, 116, 211, 235.

of charity during the Talmudic and medieval era. But this was more so in the theory than in the application. In ancient times and again in modern, pliability is the prevailing note.

The springs of action that moved people to give aid were various and always complex. They ranged from the crudest motives of self-interest to the noblest impulses of altruism. Justice and humanitarian considerations appear early in Biblical days, side by side with personal and social utilitarian aims. In the rabbinical era the motive of salvation in the hereafter plays a prominent, perhaps the dominant rôle, as it does in Christian life in the corresponding age, although the penitential appeal does not appear to have sunk quite so deep nor spread so far in Jewish existence as in Christian, Moslem or Buddhist. In the modern era, pity and unselfishness again forge to the front as the controlling, virtually the exclusive considerations.

The scope of Jewish philanthropic endeavor was broad in its inclusiveness. Every type of ministration within the purview of human aid appreciated at the time received formulation and met with attention. The range of possible beneficiaries covered all classes, except (until the modern era) delinquents. Non-Jews were included among those aided, unlike the prevailing practice among Christians in relation to Jews.

Looked at by and large, the history of Jewish philanthropy is an honorable one, distinguished for

achievement and duration and crowned with noble service. It is a telling factor in humanity's chain of endeavor to lift the fallen and to bring man nearer to his brother.

BIBLIOGRAPHY

General

New York Public Library. *List of Works Relating to the History and Condition of the Jews in the Various Countries.* Subdivision Charities. (In the Bulletin of the N. Y. Public Library, Oct. 1913.) The "List" also printed separately, N. Y. 1914.

Systematic Index to the Literature about the Jews in the Russian Language, 1708-1889. (In Russian.) St. Petersburg, A. E. Landau, 1893. Charity, Nos. 2053-2266. *Cf.* also Index of Subjects, s. v. "Charity," p. 551.

Bogen, Boris. *Jewish Philanthropy,* New York, Macmillan, 1917. Chap. 3, "Charity among the Jews," pp. 16-26.

Goodman, Paul. *Die Liebestätigkeit im Judenthum.* Frankfurt a. M., 1913. Also in *Volkschriften über die jüdische Religion,* edited by I. Ziegler, Vol. 1, Part 6, Frankfurt a. M., 1913.

Kohler, Kaufman. "The Historical Development of Jewish Charity," in *Hebrew Union College and Other Addresses.* Ark. Pub. Co., Cincinnati, 1915.

——— "Charity and Charitable Institutions," in *Jewish Encyclopedia.*

——— "Zum Kapitel der jüdischen Wohlthätigkeitspflege," in *Festschrift zum Geburtstage A. Berliner's,* Berlin, 1903, pp. 195-203.

Lewis, Harry S. *Liberal Judaism and Social Service,* New York, Bloch Pub. Co., 1915.

Loch, Charles Stuart. "Charity and Charities." *Encyclopedia Britannica.*

Biblical Times

Cros-Mayrevielle, G. "L'Assistance chez les Hébreux," *La Révue philanthropique,* Vol. 44 (1923), pp. 61-67.

Fluegel, M. *The Benevolence and Humanity Laws of the Bible.* Baltimore, 1911.

Lallemand, Léon. *Histoire de la Charité,* 3 vols., Paris, 1902-1906, Vol. 1, pp. 1-23.

Levinger, Lee J. "The Development of Charity in Biblical Times," *Hebrew Union College Monthly,* Jan., 1915.

Early Synagogue Charity Organization

Clermont-Ganneau, Ch. "Découverte à Jérusalem d'une Synagogue de l'Epoque Hérodienne," in *Syria,* Vol. I (1921), pp. 190-197.

Cook, Stanley A. "The Synagogue of Theodotos at Jerusalem," *Palestine Exploration Fund, Quarterly Statement,* Jan., 1921.

Krauss, Samuel. *Synagogale Altertümer,* Berlin und Wien, Benjamin Harz, 1922, pp. 52-267.

Lehmann, Joseph. "Assistance Publique et Privée d'après l'Antique Législation Juive," *Révue des Etudes Juives,* Vol. 35 (1897), Appendix, pp. i-xxxviii.

Marmorstein, A. "The Inscription of Theodotos," *Palestine Exploration Fund,* Jan., 1921, pp. 23-28.

Schürer, Emil. *Geschichte des jüdischen Volkes,* 3 Vols., Leipzig, 1901 (4th edit.), Vol. 2, pp. 499-536.

Talmud and Rabbinic Works

Mishnah. Treatise *Peah* 8:7-9.

Tosephta. Peah 4:8-21 (Zuckermandel edition, pp. 23-25).

Jerusalem Talmud. Peah 8:6-8.

Babylonian Talmud. Chief passages: *Taanit* 20a-21a; *Ketubot* 67a-68a; *Baba Batra* 8a-11a.

Midrash Rabbah. Passim.

Pirke d'Rabbi Eliezer, Ch. 17.
Translated and annotated with introduction and indices by Gerald Friedlander, London, Kegan Paul, 1916.

Bachya ben Joseph Ibn Pakuda (11th cent.), *Chobot ha-Lebabot.* Many editions. The original Arabic text entitled, *Al-Hidaja Ila Fara'id Al Qulub,* was edited by A. S. Yahuda, Leyden, 1912.

——— *The Duties of the Heart.* Translated by Edwin Collins, London, 1905, pp. 26-30.

Moses Maimonides (1135-1204 A.D.), *Mishneh Torah,* Sections *Matnot Aniyyim; Hilkot Teshubah,* Ch. 10, par. 1 and 2; *Hilkot Megillah,* Ch. 2, par. 15-17.

Judah he-Chasid. *Sefer Chasidim* (c. 1200). Bologna edition, 1538. Sections 125, 327, 519, 544, 595, 720, 874, 1033, 1035, 1038-1042, 1044. The Berlin edition (1903) has no section corresponding to section 125 in the Bologna edition. The other sections correspond successively as follows: 901, 1913, 1967, 21, 311, 675, 1678, 1683, 1691, 884, 1696, 862, 861, 865.

Aaron ben Joseph Halevi (13th cent.) *Sefer ha-Chinnuk,* sections 63-66, 84, 216, 330, 479.

Isaac Aboab the Elder (13th cent.) *Menorat ha-Maor,* Sections 186-221.

Jacob ben Asher (14th cent.) *Tur, Yoreh Deah. Hilkot Zedakah.*

Joseph Caro (1488-1575). *Shulchan Aruk, Yoreh Deah. Hilkot Zedakah.*

——— *Section on Charity from the Shulchan Arukh.* Translated by Louis Feinberg, "Studies in Social Work," No. 6, N. Y. School of Philanthropy, Nov., 1915.

Moses of Przemysl (16th cent.) *Matteh Mosheh,* Chap. 2-7, on Zedakah and Gemilut Chasadim.

Manasseh ben Israel. *Thesauro Dos Dinim,* Amsterdam, 1655.

Elijah ben Solomon Abraham ha-Kohen. *Meïl Zedakah* (1704).

Isaac Lampronti (18th cent.) *Pachad Yizchak,* s.v. Zedakah.

Modern Works Relating to the Talmudic Period

Blau, Joel. "The Defective in Jewish Law and Literature," in *Jewish Eugenics and Other Essays,* N. Y., Bloch Pub. Co., 1915.

Goldschmidt, S. *Die soziale Fürsorge in der jüdischen Religion,* Kattowitz, 1913.

Hamburger, J. *Real-Encyclopädie,* s.v. Armenversorge, Armenpflege, Vol. I, p. 107.

Iterson, Aart Van. *Armenzorg bij de Joden in Palestina van 100 v. Chr.—200 n. Chr.* Leiden, 1911.

Montefiore, Claude G. "Hebrew Charity," in *Jewish Chronicle* (London), May 9, 16 and 23, 1884.

Peppercorne, James W. *The Laws of the Hebrews Relating to the Poor,* London, 1840.

Reichler, Max. "Jewish Eugenics," in *Jewish Eugenics and Other Essays,* N. Y., Bloch Pub. Co., 1915.

Middle Ages

Abrahams, Israel. *Jewish Life in the Middle Ages,* Jewish Publication Society, Philadelphia, 1911, Chap. 17 and 18.

Addison, Lancelot. *The Present State of the Jews* (in Barbary). 3d edition, London, 1682.

Baas, K. "Judische Spitaler in Mittelalter. *Monatschrift für Gesch. und Wissenschaft des Judenthums,* 1911, p. 745, and 1913, p. 452.

Badinet, Léon. "Antiquité et Organisation des Juiveries du Comtat Venaissin." *Révue des Etudes Juives,* Vol. I (1880), pp. 262-292.

Berliner, A. *Geschichte der Juden in Rom.* Frankfurt a. M., J. Kaufman, 1893. Two volumes in one.

De Maulde, R. "Les Juifs des Etats français du Pape au Moyen Age," *Révue des Etudes Juives,* Vol. 7, p. 237; Vol. 9, p. 113.

——— *Les Juifs dans les Etats français du Saint-Siège au Moyen Age,* Paris, H. Champion, 1886.

Haase, Heinrich. "Die Wohlfahrtspflege bei den Juden," in M. Grunwald's *Die Hygiene der Juden,* Dresden, 1911. Appendix, pp. i-xliv.

Kayserling, M. *Die Juden in Navarra, den Baskenlaendern und auf den Balearen,* Berlin, 1861.

——— "Ein Verein der jüdischen Schuhmacher in Saragossa," in *Allegemeine Zeitung des Judenthums,* Vol. 56, Sept. 9, 1892.

Loeb, Isidor. "Règlement des Juives de Castille en 1432," *Révue des Etudes Juives,* Vol. 13, pp. 187-216.

Mann, Jacob. *The Jews in Egypt and in Palestine under the Fatimid Caliphs,* 2 Vols. Oxford University Press, 1920-1922. Vol. 1, pp. 87-95, 204-205, 232, 244.

Neubauer, Ad. "Le Memorbuch de Mayence," *Révue des Etudes Juives,* Vol. 4, p. 14.

——— *Medieval Jewish Chronicles,* Oxford, 1887, Vol. 2, p. 128 *f.*

Sonnenschein, S. H. *Hebrew Charities during the Middle Ages.* Paper read before National Conference of Charities and Corrections, 1883.

Vogelstein und Rieger. *Geschichte der Juden in Rom.* 2 Vols. Berlin, 1896.

Modern Times

Bogen, Boris. *Jewish Philanthropy,* Macmillan Co., N. Y., 1917.

Cohen, Israel. *Jewish Life in Modern Times,* Dodd, Mead & Co., N. Y., 1914, Chap. 5, "Philanthropy."

Du Camp, Maxime. *Paris Bienfaisant,* Hachette, Paris, 1888, Chap. 4, "La Charité d'Israel," pp. 291-440.

Feuerlicht, M. and A. Hirschberg. "The Jews," in Charles Richmond Henderson's *Modern Methods of Charity,* Macmillan Co., N. Y., 1904.

Frankel, Lee K. "Charity and Charities" (last section), *Jewish Encyclopedia.*

Kahn, Léon. *La Comité de Bienfaisance,* A. Durlacher, Paris, 1886.

——— *Les Sociétés de Secours Mutuels Philanthropique et de Prévoyance,* A. Durlacher, Paris, 1887.

Lindo, E. H. *A Jewish Calendar for Sixty-four Years,* L. Thompson, London, 1838. Section, "Religious and Charitable Institutions of the Jews, in London," pp. 101-104.

Magnus, Laurie. *The Jewish Board of Guardians and the Men Who Made It,* The Jewish Board of Guardians, London, 1909.

National Conference of Jewish Charities. Proceedings, 1902-1918.

Rosenberg, Leo. "Armenwesen und soziale Fürsorge im Ostjudentum," in *Der Jude,* Herausgeber M. Buber, Vol. I, pp. 737-750, Vol. 2, pp. 321-339, Berlin, 1917.

Statutes of Congregations and Societies of Various Communities. See Chap. 10, Note 51, and Chap. 11, Notes 1, 2, 3 and 4.

INDEX

Aaron, 135
Aaron ben Joseph Halevi, 70, 93, 138, note 1
Abraham, 18, 76, 82, 95, 144
Abrahams, Israel, 97, 105, note 13; 107, 111, note 29; 131, 143, note 6; 147, note 11; 152, note 28; 154, 158, 179
Academies, 43, 45
Achillion, 33
Achsanya, 143 ff.
Adam, 76, 94
Addison, Launcelot, 128
Adiabene, 100
Administration. See Chapter, "Public Relief and its Administration"
Administrators of Charity, 39, 40, 49, 63, 100, 105, 108 ff., 132
Africa, 34
Agadta, 69
Aged, 159
Agricultural provisions for poor in Biblical times, 10-14
Aheb, 4
Aix, 163
Alexander, L., 172
Alexandria, 33, 36, 100, 151, 162
Algiers, 153
Alienation of homestead, 10
Almsgiving, 28-30
Almshouses, 142
Amalgamation, 165 ff.
America, 169, 175, 177
Ammon, 66
Amos, 5, 6
Amount of giving, 56, 118 f.
Amsterdam, 104, note 11; 105, note 14; 107, note 18; 159, 164, note 4
Apocrypha, 25-30
Arabs, 151
Arbaah Turim, 64-67
Arragon, 163
Asceticism, 179
Ascoli, Isaac, 152, note 30; 166, note 2
Asher ben Yechiel, 131, 156
Asia Minor, 34
Assi, 55
Atonement, Day of, 7, 30, 56, 82, 87, 105
Auberge Juive, 146
Avignon, 128, 150

Baas, K., 147, note 11; 148, 149, 154-155
Babylonian Academies, 45
Babylonian Talmud, 53
Bachya ben Asher, 98, note 21
Bachya Ibn Pakuda, 71, 89
Balaban, M., 153, note 31; 154, note 35
Bagdad, 141
Barbary, 128
Basilica, 35
Beggars and begging, 52, 107, 117, 126-129, 180
Benjamin of Tudela, 141-142
Ben Sira, 25-28
Berliner, A., 134, note 6; 158
Bet Din, 79, 128, 138
Bethel, 5

Bethsur, 14
Biblical episodes, 17-18
Biblical influence on later charity, 46
Billetten, 146
Blau, Joel, 133, note 4
Board of Guardians, 172
Boaz, 18
"Book of Pedagogy" (or Education), 70, 93, note 5
"Book of the Pious," 70
Brest-Litovsk, 128, 138, note 2
Brisch, Carl, 148
Brotherhood of man, 10, 12
"Brother, thy, the needy," 8
Buddhist charity, 51, 150, 179, 181
Burdett, Sir Henry, 150, note 24; 151
Burial fund and burial expenses, 101, 111, 123
Burial societies, 97, 156-157, 167
Byzantium, 161

Calahorra, David, 152
Cairo, 153. *See also* "Kahira"
"Candelabra of Light," 70, 93, note 2
Captives, redemption of, 116, 161 ff.
Caro, Joseph, 45, 67, 68, 79, 101, 107, 114, 122, 126, note 2
Castille, 150
Cemeteries, 142
Certificates, 128, 129
Chaberim, 97
Chalukkah, 163
Chamber of Whispers or Silence or Unostentation, 35, 37, 63
Chananiah ben Teradyon, 63, 76, note 6; 111, note 30
Charity box, 87
Charity commanded not requested, 9; importance of doing, 55
Chasidim, 97
Chebrah Kaddishah, 156, 173
Chebrot, 173
Chesed, 77
Children, claims of, 59
Chobot Ha-Lebabot, 71
Christianity and Christians, 22, 81, 85, 127, 134, 136, 153, 163, 179-184
Church, Christian, 37, 40, 126, 130, 153
Cleopatra, 33
Clermont-Ganneau, Charles, 34, 38
Clinic, free, 154
Clothing fund, 101, 117, 159
Coblenz, 150
Codes, 61, 68, note 6; 69
Cohen, Rev. A., 172, note 6
Cohen, Saul Astruc, 136, 153
Cohon, Samuel S., 136
Collections, public, 101-108, 137
Collectors of charity, 53. *See also* "Administrators of Charity"
Collins, Edwin, 73
Cologne, 148
Colquhoun, Peter, 171
Comité de bienfaissance, 174
Comité de secours, 173, 174
Communal centers, 33-40
Communal obligation, 79, 101
Congregation, the medium of organized charity, 38-40
Consideration, 75, 117, 127, 180
Consistory, 173
Consolation, meal of, 97
Constitutions and by-laws of congregations and societies, 108, 167. *See also* "Statutes"
Cook, Stanley A., 34, note 4; 38
Coördination and consolidation, 170 ff., 175
Corners of field, 11, 49, 78
Councils, 45
Council of Four hands, 128, 138, note 2
Cracow, 154, 152

Crafts, 36
Crémieux, Ad., 150, note 22
Crusades, 108, 145
Cyprus, 100

David, 76
Debts, 11, 19, 49
Defectives, 132
Degrees of charity, eight, 62
Delta region, 33
De Maulde, R., 128, note 9
Democracy, 80
Dependent classes, 11, 75, 175
Desertion Bureau, National, 176
Deuteronomy, 8, 9, 12, 21, 22
Dowries. *See* "Marriage dowers"
Duplication, 119
"Duties of the Heart," 71, 89

Ecclesiastes, 16, 125
Ecclesiasticus, 25-28
Economic conditions — relation to poverty, 5, 6, 7, 12, 15, 16, 23
Education, 111, 149
Egypt, 32, 33, 34, 88, note 9; 105, 161
Egyptian charity, 150
Egyptian experiences—influence on charity and humanity, 12, 17
Eleazar ben Porta, 76, note 6
Eleazar of Birta, 96, 104, note 10
Eleazar II (ben Pedat), 94
Eleazar the Levite, 131
Elijah, 4
Elijah ben Solomon Abraham Hakohen, 70, 94
Emancipation, 43 f., 140, 168 ff.
Embarrassment, sparing the poor, 56, 60, 62-63, 117, 127
England, 128, 171-174, 180
Ephraim, R., 122, note 5
Equality of all men, 10, 115
Essenes, 179
Ethical Will, 131, 132, note 3
Ethical works, 61, 69, 71
Ethics of the Fathers, 48
Euergetes Ptolemy, 33
Eve, 94
Exploitation, 5, 15, 16, 17, 25, 26
Ezekiel, 7, note 5; 13

Fabiola, 144
Federation movement, 175 ff.
Feinberg, Louis, 68, note 5
Ferdinand, King, 163
Ferrara, 155
First fruits, 11, 14
Fitz-Gerald, M., 34, note 4; 38
"Follow-up" work, 118
Food fund, 101
Forgotten sheaves, 11, 49
Four Lands, Council of, 128, 138, note 2
"Four Rows," 64-67, 83
France, 153, 169, 173-174
Francis, St., of Assisi, 126
Franciscans, 180
Frankfurt, 155, 159
Fraternities, 157-158
Free will offerings, 103 ff., 167, note 3
French Revolution, 168-169
Friedlander, Gerald, 93, note 4
Friendly visiting, 111, 159
Funerals, 76, 95

Gabbai Zedakah, 39, 40, 100
Gad, 13
Gamaliel, 95
Gamliel ben Judah, 125
Gemara, 53
Gemilut Chasadim, 69, 77, 89, 91-99
Generosity, 56
Germany, 131, 146, 162, 167
Ghetto, 134, note 6; 153, 168
Ginzberg, Louis, 61, 68, note 6
Gleanings, 11, 13, 49, 78, note 12

God as exemplar, 76; source and proprietor of all goods, 77, 78, 94
Governments, influence of, 44
Graetz, Herman, 108, note 24
Greece, 34, 85
Greek charity, 85, 143, 150
Grodno, 128, 138, note 2
"Guide for (or to) the Perplexed," 93, note 4
Guilds, 36, 157-158

Haase, Heinrich, 158, note 43
Habakkuk, 77
Haggadah, 69
Haknasat Orchim, 98, 147
Halakah, 69, 82
Hamadan, 151
Hamburg, 167
Haphtarah for Day of Atonement, 7
Hekdesh, 146, 147 ff.
Helena, Queen, of Adriabene, 100
Hepner, A., and Herzberg, J., 127, note 7; 153
Herodian period, 34
Hilkot Zedakah, 64, 68
Hillel, 135
Holy Land. *See* "Palestine"
Holy League, 156
Homiletical literature, 69
Hospitality, 143, 146, 151
Hospitals, 133, 141, 144, 150-155, 167
Huna, 56, 95, 98

Immigrants, 176
Imposition and impostors, 80, 126, 128, 180
Indolence, 80, 126
Industry. *See* "Labor"
Inns, 107
Inspirational sources other than codes, 69
Isaac, 76
Isaac Aboab the Elder, 70, 92, 94
Isaac ben Moses, 94, note 8
Isaac, Rabbi, 56
Isabella, Queen, 163
Isaiah of Jerusalem, 6, 7, 76
Isaiah (II) of Babylon, 7, 82
Ishmael Ha-Kohen, 133, note 5
Isserles, Moses, 126, note 2
Italy, 34, 117, 136, 146, 167

Jacob ben Asher, 45, 64, 68, note 6; 77, 79, 83, 121-122, 131
Jacobs, Joseph, 147, note 11
Jehudah ben Asher, 82
Jehudah (II) ben Gamliel, 144
Jehudah ben Kallonymos, 122, note 51
Jehudah Ha-Nasi, 48, 52, 130
Jeremiah, 8
Jeroboam II, 18, 25
Jerome, St., 144
Jerusalem Talmud, 53
Jerushalmi, 53
Jerusalem, 4, 5, 32, 34, 100, 105, note 12
Jesus, 30
Jewish and non-Jewish philanthropy compared, 22, 39
Jezebel, 4, note 1
Job 16, 18, 21, 29
Jochanan, 57, 59
Jonah, Rabbi, 75
Jose ben Jochanan, 145
Josephus, 14, note 9; 34, 78, note 12; 100
Josiah, 8
Jubilee, law of, 10, 13, 19
Judah, 5
Judan, 58
Judea, 100
Julian the Apostate, 127, note 5
Justice as a motive and mode of charity, 6-8, 20, 82, 92, 179, 181.

Kahana, 59
Kahira, 88, note 9; 105
Kahn, Leon, 174, note 8
Kamis, Guiseppe, 152

Kayserling, M., 158
Kibbuz, 129
Kiddush, 36
Kohler, Kaufman, 22, 99, 100, 127, note 5; 178
Krauss, Samuel, 33, 34, note 5
Kuppah, 49, 50, 101 ff.

Labor, 59, 80, 125
Landlords, 5
Lauterbach, Jacob Z., 134-135
Lauingen, 150
Lazarus, Moritz, 85
Lecky, 22, 180
Leghorn, 159
Lehmann, Joseph, 9, note 6; 37, note 10; 78, note 13; 100, note 2
Leontopolis, 32
Letters of Collection, 129
Liezer, 113
Lindo, E. H., 159, note 50; 167, note 5
Lishkat Chasaim, 35, 37, 63
Lithuania, 128
Loans, 52, 59, 91, 95, 98, 114, 159, 167
Loch, Charles Stuart, 22, 81
Lodging, 49, 146
Loeb, Isidor, 150, note 21; 163, note 54
London, 159, 167, 171-172
Love and loving-kindness as motives and modes of charity, 22, 51, 55, 57, 76, 77, 82, 85, 88-90, 92-99, 179
Löwenstein, Dr. L., 150, note 20
Lünel, 153
Luria, Isaac, 121, note 49

Maamad, 82
Maaser Ani, 130
Maaser Sheni, 130
Maccabees; Maccabean, 14, 29, 31
Madrid, 142
Magnus, Laurie, 172, note 7
Maimonides, Moses, 45, 52, 61-64, 67, 68, note 6; 77, 78, 79, 82, 88, 89, 93, 101, 102, 107, 121, 135, 136, 153, 154, 162
Malachi 6, note 2
Manasseh, 13
Mann, Jacob, 39, 88, note 9; 161
Mantua, 159
Marriage dowers, 49, 96, 98, 111, 117, 123, 129, 138, 159, 121-124, 128, 160
Marseilles, 150, 155, 163
Martyrs, 149
Matatia, 153
Matnot Aniyyim, 64
Matteh Mosheh, 70, 93, note 3
Matthew, 30
Meal tickets, 117
Medical treatment, 111, 136, 151-155
Meil Zedakah, 70
Meir of Rothenberg, 162
Meir, Rabbi, 48, 58, 88
Mendelssohn, Moses, 46, 168
Menorat Ha-Maor, 70
Merit, doctrine of, 29, 87
Micah, 6, 7, 76
Midrash, 69, 70, 75, 92, 144
"Mighty Hand," 61, 64
Minimum of Allowances, 51, 121-124, 128, 160; of contributions, 56, 79, 103, 118 f., 124
Minz, Judah, 117
Mishnah, 48, 51, 52, 87, 100, 121, 130
Mishneh Torah, 61
Moab, 66
Modernization of Jewish philanthropy, 165 ff.
Mohammedanism, 81, 141, 150, 179, 181
Monasticism, 179
Monobaz, 53, 57, 87
Montefiore, Claude G., 64
Moses of Przemysl, 70, 93, 97, note 15

Motives of Jewish philanthropy —in Biblical times, 20, 21; in Apocryphal literature, 25-30; in Mishnaic and Talmudic literature, 51, 56-58, 80-81; in Bachya, 71-73; survey of, in Jewish literature, 84-90, 133; in Maimonides, 89-90; survey of, 179, 181
Mount Ophel, 34
Mourners, 76, 95, 156, 158, 159
Munich, 148, 150
Mutual benefit organizations, 167, 173

Naboth, 2, note 1
Narbonne, 149
National Conference of Jewish Social Work, 175
National Desertion Bureau, 176
National institutions and organizations, 176-177
Neglect of family, 59
Nehemiah and economic reconstruction, 19
Nehemiah, R., 144
Neubauer, A., 89, note 9; 105, note 12; 149, note 19
New Testament, 34
New Year, 30, 87
Nicholls, Sir George, 127, notes 4 and 6
Non-Jews, aid to, 9, 24, 117, 133-136, 153, 177, 180; treatment at hands of, 155
Nürnberg, 149, 155

Obligatory phases of charity, 9, 11, 23, 78, 122, 123
Offord, Joseph, 33
Ophel, 34, 38
Orphan Asylums, 142, 155
Orphans, 11, 18, 78, 96, 111, 112, 115, 124, 137
Orphans' school, 156
Or Zarua, 94, note 8
Ostentation, 6, 30, 35, 37, 63
Ostia, 144
Overseers of Charity, 105, 108 ff.

Pagan charity, 85
Palestine, 4, 32, 34, 40, 45, 53, 130, 159, 163
Paltiel, 89, 105
Pandok or Pundok, 143 ff.
Paris, 170, 171-174
Parnas, 39, 40, 98, 108, 114
Parsimony, 56
Pastoral visiting, 97
Pauperization, 51, 115, 163
Peah, 48, 51
Pedro III, King, 157
Penitential motive, 21
Pentateuch charity legislation and admonitions, 7-14, 23; key passage, 8, 9
Personal service, 53, 91 ff.
Philo, 23, 24
Pilgrimage festivals, 11
Pirates, 161-163
Pirke Abot, 48
Pledged commodities, 14, 49
Pletz, Solomon, 155
Poland, 128, 146
"Portions of the Poor," 64
Posekim, 68
Posen, 127, note 7; 153
Poverty—as a discipline, 58, 179; as an ideal, 125-126
Prague, 157
Prevention, 11, 23, 59, 62, 111, 167, 173
Pride, false, 59
Primitive charity, 3
Profiteering, 19
Prophets the first to show connection between economic oppression and want, 6; denunciation of industrial wrongs and exploitation by, 5, 6, 7, 23; motives emphasized by the, 21
Proverbs, 16, 18, 21, 29, 125
Psalms, the, 15, 16, 23, 82

Ptolemy III (Euergetes), 33; Physcon, 33
Public charity funds, 101-108
Publicity and secrecy in charity, 30
Public relief—general, 55, 100
Pundyon, 49
Purim, 18, 64

Rabba, 82
Rabbinical law, 42 f., 68, 74, 94
Rabbinowitz, Samuel P., 129, note 10; 138, note 2
Rav, 59
Recanati, Manahem, 105, note 15; 111, note 30; 122, note 51
Regensburg, 142
Régné, Jean, 149, note 18
Regulation, 127-129
Rehoboam, 18
Residence, length of residence as determining obligation, 52, 56, 57-58, 101
Response literature, 69
Reuben, Gad and Manassah, deportation of, 13
Rewards, types of—emphasized in various Biblical books. *See* "Motives"
Rieger, 39, note 14; 136, 158
Right of poor to assistance, 9, note 6; 114, 126
Roman charity, 85, 144, 150
Rome, 34, 134, note 6; 158-159
Rosh Ha-Keneset, 39
Rotterdam, 159
Russia, 146
Ruth, book of, 14

Saadia, 67
Sabbath, special charity provisions for, 49
Sabbatical year, law of the, 11, 13, 14, 19
Saduccees, 16
Samarkand, 151
Samuel bar Nachmani, 96, note 15
Samuel ben Paltiel, 89, note 9; 105
Samuel Ha-Kohen, 154
Sanctions. *See* "Motives"
Sanhedrin, 44
Saragossa, 157
Schechter, S., 132, note 3; 135
Schedia, synagogue of, 33
Schnorrers, 127
Scholars, 116, 163
Schürer, 34, 39, note 13
Secrecy and publicity in charity, 30, 60
Sefer Ha-Chinnuk, 70, 93, note 5
Self-dependence and self-support, 80, 118, 120, 125 ff.
Sermon on the Mount, 58
Servants, 115
"Set Table," 67
Se'udat habraah, 97
Sheëlot, 69
Sick, 76, 94, 95, 97, 111, 157, 159
Shelter's, 36, 38, 107, 142, 143 ff.
Shulchan Aruch, 67-68, 122
Simeon ben Lakesh, 59, 144
Simlai, 76
Simon ben Yochai, 56
Simon the Just, 56
Simonides, 38
Simulation of bodily defects, 50
Social Service, National Conference of Jewish, 175
Social status of needy, consideration of, 52, 57, 118 f., 121, 123, 124
Societies, 137 ff.
Solomon, 18
Solomon ben Adret, 149
Spain, 131, 146
Spirit of giving, 56, 62-63
Spontaneous growths of field, 11
Standards of giving, 56-57, 132
Standards of living, 118 ff.

Statutes of congregations and societies. *See* p. 160, note 51
Strangers, 11, 36, 95, 98, 107
Subsistence, 56
Survey of contemporary Jewish philanthropy, 174-177; of entire history, 178-182
Sympathy, 59
Synods, 110, note 24; 126, note 2; 128, 138, note 2
Synagogues—early centers of organized relief, 33-39; charity administrators of, 39

Takkanot, 105
Talmud, 47, 48 f.; excerpts from, 55 f., 61; compilations and codifications, 61 f.
Tamchui, 49, 101 ff.
Tanzhaus, 146
Teshubot, 45, 69
The Hague, 166
Theodorus, 33
Theodotos, Synagogue of, 38, 143
"Thy needy brother," 8, 9
Tibbon, Samuel ibn, 136, 154; Judah, 136, 153
Tithes, 11, 13, 14, 49, 130-132
Titus, 12
Tobit, 25, 28-30
Toledo, 131, 151
Tortossa, 149
Tosephta, 36, note, 7; 37, 51, 52
Trade schools, 176
Trajan, 36
Transients, 36, 51, 107, 117, 128, 143 ff., 147, 169, 170
Treviso, 117
Trust-fund, wealth, a, 77
Tur, 64-67, 75
Turnus Rufus, 58

Uhlhorn, Gehrhard, 22, 84
Ukba, Mar, 56
United States. *See* "America"
Usha, Synod of, 126, note 2
Uzziah, 5, 151

Vagrancy, 175
Valence, 142
Van Oven, Joshua, 171
Venice, 159
Vespasian, 12
Vetenos, 38
Vienna, 150, 157
Villareal Charity School, 156
Vital, Hayim, 135
Vogelstein, 39, note 14; 136, 158

War relief, 177
Wayfarers. *See* "Transients"
Wealth comes from and belongs to God, 77, 78
Widows, 11, 112, 137, 159
Wilna, 157
Winkler, Dr. Jacob, 153
Wisdom literature and charity, 16, 17, 18, 21
Women, 115
Worms, 150

Xenipheris, synagogue of, 33

Yad Ha-Hazakah, 61

Zangwill, Israel, 127
Zedakah, change in meaning from justice to almsgiving, 29-30, 80-81; in the codes, 64-69; in ethical and homilectical works, 69-70; as a basic principle and ideal, 75-83; its relation to Gemilut Chasadim, 91-93
Zerephat, woman of, 66

New Essays and Criticism

By John Masefield.

The Taking of Helen, and Other Prose Selections.

By William Lyon Phelps.

Howells, James, Bryant, and Other Essays.

By Bruce Weirick.

From Whitman to Sandburg in American Poetry. A Critical Survey.

By William Allen White.

The Editor and His People. Editorials selected and arranged by Helen O. Mahin.

By Edmund Lester Pearson.

Studies in Murder.

By William MacDonald.

The Intellectual Worker and His Work.

By W. G. de Burgh.

The Legacy of the Ancient World.

By G. A. Johnston.

The Development of Berkeley's Philosophy.

By J. H. Muirhead.

Contemporary British Philosophy.

By W. J. Sollas.

Ancient Hunters and Their Modern Representatives. New revised edition.

Matthew Arnold's Works.

New edition, in uniform binding. Complete in 12 volumes.

THE MACMILLAN COMPANY
PUBLISHERS NEW YORK